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**Lazarenko found guilty of money laundering**

See Page 5

# Appeals court deals major blow to D & D

## Rules government must live up to its own guidelines of providing evidence of individual crimes

**By Marco Levytsky**

A federal appeals court has dealt what may prove to be a fatal blow to the government policy of Denaturalization and Deportation of Canadians of East European origin under the guise of removing so-called Nazi war criminals from Canada, as it is currently being practiced.

In a unanimous decision issued May 31, Justice Robert Décary, with the concurrence of Justices J. Edgar Sexton and B. Malone the Federal Appeal Court decided to reinstate the citizenship of 80-year-old Kitchener-Waterloo resident Helmut Oberlander, an ethnic German from Ukraine, which was removed by a Governor in Council (cabinet) decision in 2001 because there was no evidence that Oberlander committed any war crime.

*At that same time the court told* the government that it has to adhere to its own guidelines in pursuing these cases — namely that there had to be evidence of individual crimes.

"The Governor in Council is not, of course, deciding as a matter of law whether a person is a war criminal, but it cannot apply the war criminals policy to a person unless it first satisfies itself, to use the very words of the policy, that 'there is evidence of direct involvement in or complicity of war crimes or crimes against humanity'," reads the ruling.

"The (Immigration) Minister's Report does refer to the 'no safe haven' policy but does not analyse why it is that Mr. Oberlander fits within the policy which, the Report fails to mention, applies only to suspected war criminals," the ruling adds.

"In face of the express finding by Mr. Justice MacKay that no evidence was presented about any personal involvement of Mr. Oberlander in war crimes, one would expect the Governor in Council to at least explain why, in its view, a policy which, by its very — and underlined — words applied only to suspected war criminals, applied to someone who served only as an interpreter in the German army. I note that neither the Minister in her report nor the reviewing Judge even refer to the fact that Mr. Oberlander had asserted that he had not joined the German army voluntarily and that Mr. Justice MacKay has not made a definite finding as to whether Mr. Oberlander had been conscripted or not.

Justice Décary allowed Oberlander's appeal of the revocation of his citizenship "with costs" and turned the matter back to the Governor in Council for a new determination.

"In practice, this Order means that the Minister of Citizenship and Immigration, should she decide to again seek the revocation of the citizenship of Mr. Oberlander, is expected to present the Governor in Council with a new Report which will address the concerns expressed by the Court in these reasons," he stated.

The government may appeal this decision to the Supreme Court of Canada. For that to happen they must first apply for leave to appeal, which the Supreme Court may deny.

When, on June 5, Ukrainian News asked Deputy Prime Minister Anne McLellan, who is responsible for the Canada Border Services Agency which has taken over immigration war crimes investigations, she replied: That's up to the minister of justice. That's entirely up to him. That's not up to me."

The Federal Appeal Court hearing was held because of the federal government's appeal of a Jan. 7 ruling by Justice Robert Reilly of the Ontario Superior Court which put deportation process against Oberlander on hold.

At a March 24 meeting of Parliament's Standing Committee on Citizenship and Immigration, Kitchener-Waterloo Liberal MP Andrew Telegdi stated that he asked the Minister of Justice (Irwin Cotler) and the Minister of Citizenship and Immigration (Judy Sgro) who made the decision to make an appeal.

"They said it wasn't them," Telegdi reported, according to transcripts of the meeting.

He then asked Michel Dorais,

Cont. on P. 3

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## D-Day commemorated

*June 6 the 60th anniversary of the D-Day invasion Normandy was commemorated at the Alberta Legislature. Canadians played a very significant role in the invasion and Canadians of Ukrainian origin had one of the highest participation rates in Canada's armed forces from among all of the country's cultural groups (British and French included). Over 1 million Canadians out of a total population of 11 million served in the Armed Forces in World War II. Estimates of Ukrainian Canadian enlistment range from 35,000 to 50,000, out of a total Ukrainian Canadian population of just 309,000 in 1941. There were about 155,000 soldiers, 5,000 ships and landing craft, 50,000 vehicles and 11,000 planes set for battle on D-Day. The military planners had given Canada the role to take one of the five designated beaches where Allied forces were to land to begin the liberation of Europe from Nazi Germany. The Americans had Utah and Omaha beaches in the west, then came the British at Gold, then the Canadians at Juno Beach and finally the British at Sword on the east. For Canada, 14,000 soldiers were to land on the beaches; another 450 were to drop behind enemy lines by parachute or glider. The Royal Canadian Navy supplied ships and about 10,000 sailors. Lancaster bombers and Spitfire fighters from the Royal Canadian Air Force supported the invasion. Pictured above: A Beowulf tank is displayed in front of the Legislature*

# Чорновіл очолив ОУН в Україні

(Українська правда)—Новим головою ОУН в Україні на великому позачерговому зібранні партії 30 травня обрано Андрія Чорновола.

Про це повідомляє "Львівська газета".

Участь у заході взяли 23 обласні організації та значна частина головної ради партії. Всі документи, необхідні для юридичного оформлення змін у керівництві партії, подано в Мін'юст.

Досі Андрій Чорновіл був членом партії "НРУ за єдність", але вже понад півтора року був членом проводу Львівської обласної організації ОУН в Україні. Перед тим Андрій Чорновіл входив до ПРП, проте, за його словами, покинув партію "з об'єктивних причин", зазначає газета.

"НРУ за єдність" не пройшов на виборах у ВР, тому я увійшов до партії ОУН в Україні. Партія тільки набирає обертів. На мою думку, мало партій мають національну ідею, а для мене вона багато важить, тому вибір спинився на цій політичній силі, – сказав Чорновіл "Газеті".

В той же час Роман Козак, який дотепер очолював ОУН, заявив, що його незаконно усунули від керівництва.

1 червня він поширив заяву про те, що 30 травня в Києві відбулися збори за участю групи осіб із партії "НРУ за єдність" на чолі з головою Львівської обласної організації цієї партії Русланом Секелою та трьох обласних голів партії "ОУН в Україні". "На цих зборах здійснили спробу переобрати діючого голову та провід партії ОУН в Україні", - сказано в листі.

У листі також зазначено, що учасники зборів викрали бланки з печаткою партії ОУН в Україні та підробили підписи на них. Це звернення також підписали голови Івано-Франківської, Львівської, Тернопільської, Харківської й Одеської обласних організацій ОУН в Україні.

Чорновіл спростував викладені в заяві факти, сказавши, що збори "відбулися легітимно", а Романа Козака "всі голови обласних організацій одно–голосно зняли з посади".

Андрій Чорновіл народився 21 червня 1962 року. Старший син покійного лідера Народного руху України В'ячеслава Чорновола. За фахом – лікар. Працює доцентом кафедри інфекційних хвороб ЛДМУ ім. Данила Галицького. Політичну кар'єру розпочав напередодні останніх парламентських виборів. У 2002 році обраний до Львівської обласної ради в першому окрузі. Є членом депутатської групи "Соціальна справедливість", яку очолює Сергій Медведчук.

З історії ОУН в Україні: у 1993 р. внаслідок об'єднання крила політичної організації Державна Самостійність України (ДСУ) та частини націоналістів, не згідних із політикою КУН, виникла ще одна група, яка називається ОУН в Україні. Свою історію організація виводить від ОУН. Наприкінці 1993 р. ОУНвУ офіційно зареєстровано як партію.

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# Жердицького засудили, Діденка звільнили

**Надія Кандиба,** *Радіо Свобода*

7 червня у Німеччині оголошений вирок у справі колишнього депутата Верховної Ради України і колишнього керівника "Градобанку" Віктора Жердицького та одного з колишніх керівників компанії "Нафтогаз-України" Ігоря Діденка. Суд міста Гільдесгайма, що під Ганновером, визнав їх винними у зловживанні довірою та нецільовому використанні 4 мільйонів німецьких марок.

Ці гроші в середині 90-х років Німеччина переказала Україні для виплати відшкодування жертвам нацизму. Віктор Жердицький засуджений до 5 років та 10 місяців тюрми. Ігор Діденко - до 4 років та 3 місяців. Таким чином покарання є м'якшим, ніж вимагала прокуратура.

Жердицького було затримано в Ганновері ще двохтисячного року при спробі зняти з конфіскованого рахунку 50 тисяч німецьких марок. Від того часу він перебуває у слідчому ізоляторі. Дещо пізніше у Франкфурті-на-Майні було затримано Діденка. Процес у справі Жердицького розпочався у серпні 2001-го року. Згодом справу Жердицького та Діденка було об'єднано в одне судове провадження. Процес розтягнувся на два з половиною роки. За цей час відбулося 172 судових засідання. До речі, так само затягнулось і оголошення вироку. Головуючий суддя зачитував свою промову понад три години. Жердицький та Діденко сприйняли оголошення вироку з обуренням, оскільки вони відхиляють всі обвинувачення. На знак протесту Діденко знову надягнув футболку з написом: "Я ненавиджу німецьку брехню".

Однак Ігор Діденко залишив зал німецького суду вільною людиною. Він відсидів дві третини строку, до якого його було засуджено, і цей час йому зарахували. Віктор Жердицький і надалі залишається під вартою Проти нього порушено нову кримінальну справу за звинувачення у підбурюванні свідків до фальшивих заяв.

Адвокати збираються оскаржувати вирок.

# Колишній претендент у президенти США Кларк відвідав Київ

**Руслан Дейниченко,**
*Голос Америки*

2 червня Київ відвідав колишній високопоставлений керівник американської армії Уеслі Кларк. Він зустрівся із президентом Кучмою та іншими урядовцями. За останній час в Україні із подібними візитами побували декілька впливових американських політиків і громадських діячів.

Екс-головнокомандувач збройних сил НАТО в Європі чотиризірковий генерал американської армії та один із колишніх претендентів на посаду президента США Уеслі Кларк прибув у Київ на запрошення українського політика і бізнесмена Віктора Пінчука. Протягом дня Кларк встиг зустрітися із президентом Кучмою, міністром оборони Марчуком та головою зовнішньополітичного відомства Грищенком. Останній сказав, що обмін думками із Кларком виявився дуже корисним.

«Це не політичний візит. Але нічого не відбувається поза політикою. Це справжній мислитель. Людина, яка вміє аналізувати, до думок якої прислуховуються у Вашингтоні. І я думаю, що нам всім було дуже корисно послухати про його бачення майбутнього нашої держави», - сказав Грищенко.

Під час промови перед журналістами Уеслі Кларк не пошкодував компліментів на адресу українського керівництва. Він був вражений економічними успіхами України, та вдячний за її участь у антисаддамівській коаліції. Назвав надзвичайно мудрим рішення президента Кучми про намір вступити в НАТО і сказав про його обіцянку провести чесні президентські вибори та гарантувати демократичні свободи громадянам. В цьому його виступ дуже нагадував слова батька нинішнього президента США Джорджа Буша, який відвідав Київ минулого місяця - також на запрошення члена родини президента Кучми Віктора Пінчука.

Кларк визнає, що отримав гонорар за виступи в Україні, як він каже, очевидно від компанії Віктора Пінчука. Американський генерал каже, що із задоволенням відгукнувся на його запрошення відвідати Київ.

«Я був зацікавлений у цій подорожі. Ми колеги в Міжнародній кризовій групі. І він запросив мене якось приїхати в Україну для обміну думками. Я думаю, він зацікавлений показати світові прогрес, якого досягла Україна. Я думаю він дуже значний. І його висвітлюють в пресі на Заході не так, як хотілося б людям в Україні. Бо вона одна з багатьох країн, які розвиваються. Одночасно, я думаю він хотів мені надати можливість викласти свої погляди на європейську інтеграцію та розвиток НАТО».

За останній час із подібними візитами в Україні також на запрошення зятя президента Кучми побували й інші впливові представники фінансової та політичної еліти США. Джордж Сорос, Збігнєв Бжезинський та колишній президент Джордж Буш. В пресрелізі метою цих візитів називають створення адекватного іміджу України в очах світового співтовариства. Однак оглядачі припускають, що не в останню чергу мова йде про відновлення репутації самого Леоніда Кучми.

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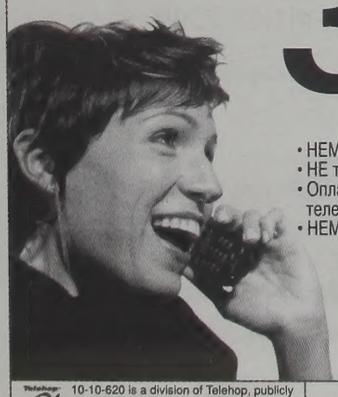

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# Блохіна хочуть вигнати з Верховної Ради

(Українська правда/інтерфакс-Україна)—Комітет Верховної Ради з питань регламенту, депутатської етики й організації роботи парламенту рекомендує спікеру Володимиру Литвину в 10-денний строк звернутися до суду з питання дострокового припинення повноважень народного депутата Олега Блохіна (фракція СДПУ(о) на підставі закону за рішенням суду.

Таке рішення комітет ухвалив, розглянувши звернення 27 народних депутатів, що стосується недотримання Блохіним вимог Конституції і закону про статус народного депутата у відношенні несумісності депутатського мандата з іншими видами діяльності, повідомляє в п'ятницю інформаційне управління Верховної Ради.

Як відомо, Блохін є головним тренером збірної України з футболу. Хоча зараз Блохін член фракції СДПУ(о), він був обраний до парламенту за списком КПУ. У випадку позбавлення Блохіна мандата на його місце прийде представник Компартії.

# Appeals court deals major blow to D & D

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Deputy Minister, Department of Citizenship and Immigration, to "please tell me who in the department made that decision?"

At that point committee Chair Sarkis Assadourian intervened, telling Dorais "if there's any relation in the question to the main estimates, please go ahead and answer."

Dorais relied: "There's no relation to the main estimates, other than the fact that the war crime program is now the responsibility of the Canada Border Services Agency, not the department."

In his ruling Justice Reilly also stated that McLellan, who was justice minister at that time and Elinor Caplan, who was then minister of citizenship and immigration, were in a conflict of interest.

"The material presented to me on the 'threshold' issue with respect to the application permits the inference that the Minister of Citizenship and Immigration, and perhaps the Attorney General of Canada as well, sat as members of the Governor in Council in deciding whether to revoke Mr. Oberlander's citizenship. If these Ministers did indeed 'preside' as part of the tribunal, as members of the Governor in Council deciding the issue, then they were involved in a clear conflict of interest. The court to date has been given no assurances either way," stated Justice Reilly.

When asked by Ukrainian News whether she sat in on the meeting that revoked Oberlander's citizenship, McLellan replied: "I cannot reveal cabinet confidences."

When the case of Wasyl Odynsky came up for cabinet decision a year later, Ukrainian News obtained a list of the members of that committee. Both the justice minister at that time, Martin Cauchon, and then Citizenship Minister Denis Coderre were members of that committee.

Eric Hafemann, lawyer for Oberlander and the most recent respondents in D & D cases, Jura Skomatchuk of St. Catherines and Edmontonian Josef Furman, says the ruling has implications for other D & D cases including his two new clients and Odynsky.

"The Federal Court of Appeal has made it very clear that the cabinet, in stripping someone of their citizenship must give reason.," he told Ukrainian News.

"And that is very important because they then have to justify, based upon the evidence, why someone's citizenship is going to be taken away."

He added: "If you don't have to give reasons, you can get dishonest politicians just sneaking it in through the back door, like Elinor Caplan did. And that's what happened to poor Mr. Oberlander."

In neither of the three other cases cited have any charges of individual crimes been brought forward in the Statements of Claim against the individuals.

In the case of Odynsky, Justice Andrew MacKay found that his service as a Trawniki camp guard was involuntary and that there was no evidence that he participated in the mistreatment of any prisoner anywhere at any time.

Hafemann said that during Oberlander's hearing before Justice McKay, federal lawyers tried to bring in statements obtained by the KGB.

But one of the people involved, a Mr. Sydorenko, said he was taken to a basement by the KGB, beaten up, then presented with a prepared statement to sign. That evidence was thrown out of court.

"To introduce statements obtained by the KGB, where there was a history of beatings and torture and killing is just nonsense in a Canadian court," said Hafemann.

"And the judge didn't want to have any part of it."

Hafemann said he is convinced the government won't get leave to appeal this decision from the Supreme Court "but even if they did, it would be of no concern to me. We will be successful with the ultimate outcome because this is a solid decision by the court." Nevertheless, he said he would prefer this matter be terminated for the sake of his client who is 80 years old.

Telegdi called the appeals court decision "great news for naturalized Canadians."

"The original decision of Governor in Council (Cabinet) to revoke his citizenship was set aside by the Court that found that that decision was flawed on two counts.

"First, cabinet didn't show it considered Oberlander's personal circumstances, including '50 years of irreproachable life in Canada,' before taking his citizenship away," he said.

"The judges also ruled the revocation was flawed because cabinet didn't explain how Oberlander fit a government policy to deport people only if there is evidence of participation or complicity in Second World War crimes, including membership in organizations 'with a single, brutal purpose, e.g. a death squad.' There is no evidence that Oberlander had direct involvement or complicity in the commission of war crimes.

"This decision opens the door for us to redouble our effort to convince the government to change the citizenship revocation process in the Citizenship Act to allow for due process of law including the right of appeal. This will provide real justice and equality of citizenship for naturalized Canadians."

Eugene Harasymiw, President of the Edmonton Branch of the Alberta Ukrainian Self-reliance League and a long-time opponent of the D & D process, told Ukrainian News: "There is little doubt that the unanimous decision of the Federal Court of Appeal has dealt a crushing blow to the present government's politically-driven 'war crimes' program.

"What is astounding is that, although intellectually challenged Ministers of Citizenship and Immigration like Elinor Caplan (blinded as she was by the political agenda of the ethnic constituency she represented) could not be expected to understand the niceties of due process, the same cannot be said about Ministers of Justice like Anne McLellan and Irwin Cotler. Both of these individuals knew full well that the denaturalization and deportation process was flawed in fundamental ways, to the detriment of the accused, their families and the Ukrainian community, as was pointed out in the Oberlander appeal decision. That they chose to ignore those flaws and actively pursued their political goals points clearly to their duplicity, hypocrisy and perfidy, for which they will have to face the electorate. They had full opportunity to correct the process; they chose not to do so.

"They have no excuse."

Meanwhile, Keith Landy, national president of the Canadian Jewish Congress, called the Federal Court of Appeal decision "an insult to those who perished in the Holocaust and those who survived."

Reacting to Landy's statement, Hafemann said: "Mr. Landy and others really are engaging in hatemongering against these old gentlemen. And it truly is hatemongering. They are always complaining about hate crimes. Well they are hatemongers against innocent senior citizens. There is no evidence implicating Mr. Oberlander, Mr. Odynsky Mr. Baumgartner (another respondent)... there's not a scrap of evidence found in these hearings."

"It isn't in the interest of the Jewish people for people to talk like that," he added.


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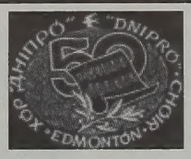
# UCCLA reports overwhelming political support for redress

(UCCLA)—Preliminary results of a national survey of MPs and candidates campaigning in the current Canadian federal election indicate overwhelming support for Bill C 331 — The Ukrainian Canadian Restitution Act and Bill C 333 — The Chinese Canadian Recognition and Restitution Act, introduced by Inky Mark, MP (Dauphin-Swan River-Marquette).

Working together, the National Congress of Chinese Canadians and the Ukrainian Canadian Civil Liberties Association asked each MP and candidate for office whether or not they would support both bills, if elected.

Commenting, Dr Lubomyr Luciuk, UCCLA's director of research, said: "Results are only now being compiled but we have already secured the endorsement of a majority of MPs and candidates for office. Officially, the Conservative Party of Canada, the Bloc Quebecois, and the New Democratic Party have all confirmed their support. Many members of the Green Party have done likewise. We have even had some favourable votes from Liberal Party MPs and candidates, although we hope more will be forthcoming. Our detailed survey results will be posted at www.uccla.ca later this month. We will also distribute the Canadian Redress Survey results widely before June 28. We want to ensure voters know which candidates and parties will work with our two communities to right historical wrongs."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# Чи маніпулювали американським журі, яке судило Лазаренка?

## Розмова з головою СКУ

**Мар'яна Драч,** *Радіо Свобода*

Надходять нові відгуки із судом над Павлом Лазаренком в Америці. Соратники Лаза–ренка в Україні обурені вердиктом амери–канського журі, яке 3–го червня визнало колишнього українського прем'єра винним у відмиванні грошей та здирництві.

Цей вердикт є свідченням таємних домовленостей між чинним в Україні режимом та окремими представниками правосуддя США - мовиться у заяві, яку 7–го червня оприлюднили представники партії "Громада". Американські присяжні радше керувалися потребою захистити авторитет власної держави, котра незаконно утримувала під вартою іноземного громадянина протягом чотирьох з половиною років, ніж потребою встановити істину, вважають "громадівці".

Крім цього, автори заяви звертають увагу на недавні зустрічі президента Леоніда Кучми з колишнім президентом Америки Джорджем Бушем старшим, американським політологом Збігнєвом Бжезинським та колишнім командувачем військ НАТО у Європі Веслі Кларком. Організатори цих візитів до Києва, зокрема, намагалися вплинути на американську громадськість, аби показати, що політичного аспекту у так званій "справі Лазаренка" немає, оскільки Кучма начебто є політиком, якого шанує світове співтовариство, вважають прихильники колишнього прем'єра.

Звинувачення "Громади" серйозні – таємна змова, маніпуляції. Чи є якісь підстави для таких закидів? Послухаємо думку відомого діяча української діаспори в Америці Аскольда Лозинського. Він не лише очолює Світовий конгрес українців, але також є успішним нью-йоркським адвокатом. Отже, наскільки об'єктивним було американське журі?

**Аскольд Лозинський:** Я категорично відкидаю таке обвинувачення. Я інколи критикую Америку і її демократичність, але у випадку судівництва, зокрема, суду, де є лава присяжних, то абсолютно категорично відкидаю будь-яку політичну зумовленість.

Це не означає, що справа проти пана Лазаренка не була оригінально порушена з політичних міркувань, тобто порушена прокуратурою. Тому я не стверджую в одну сторону чи в другу, що рішення було правильне. Я тільки скажу, що з точки зору питання юрисдикції, Америка мала юрисдикцію над Лазаренком. Тому що виглядає, що відмивання грошей відбувалося на американській території.

А з огляду на те, що вирок оголосило журі, то я не маю найменших сумнівів, що він не був політично вмотивованим.

**Мар'яна Драч:** А чи якимось чином на американську громадську думку, на думку присяжних, могли вплинути недавні візити в Україну колишніх чільних американських політиків і політологів?

**Аскольд Лозинський:** Абсолютно ні, бо є ціла система продумана для того, щоб лава присяжних була захищена від будь-якої публічної опінії. Можливо, візит старшого Буша був розголошений в Україні, і візит професора Збігнєва Бжезинського, і візит генерала Веслі Кларка. Але в Америці, я б сказав, 99,9% пересічного американського населення навіть не знало, що такі візити відбулися.

**Мар'яна Драч:** Президія "Громади" висловлює також сподівання, що 16 вересня, коли американський суддя знову розглядатиме справу Лазаренка, то він відхилить рішення журі. Чи це можливо взагалі?

**Аскольд Лозинський:** Воно є можливо, якщо вирок надзвичайно ненормальний. Але якщо він мав намір відхилити, то суддя був би це зробив, коли вийшов вирок. Що суддя може ще зробити - дати мінімальне покарання. Тобто, він може присудити далеко коротший термін, бо то є в його юрисдикції.

Але я був би надзвичайно здивований, я думаю, що кожен юрист в світі був би надзвичайно здивований, якби він відхилив рішення лави присяжних.

**Мар'яна Дра:** І все ж таки перед початком суду над Павлом Лазаренком очікували, що також пролунають дуже серйозні звинувачення на адресу нинішнього президента України, але цього не сталося. Суд пройшов дуже швидко. Як Ви думаєте, чому?

**Аскольд Лозинський:** Я думаю, що рішення, яке суд приймав, чи факти, які він розглядав, могли відноситися до всього, що відбувалося на території американській. А не знаю, хто ще був заангажований у справах Лазаренка...

**Мар'яна Драч:** Нагадаю, що адвокати Лазаренка казали, що сам Лазаренко був змушений давати хабарі Леонідові Кучмі.

**Аскольд Лозинський:** Добре, але ці хабарі, напевне, якщо він їх давав, то він би давав в Україні, а не на американській території. Тому це рішення суду не стверджує ані вини президента Кучми, ані не стверджує, що він невинний. Це питання прямо не розглядалося.

## Лазаренка шукає Інтерпол

(Українська правда)—Національне центральне бюро Інтерполу в Україні 15 березня 2004 року поновило термін дії міжнародного розшуку екс-прем'єр-міністра України Павла Лазаренка до серпня 2008 року.

Про це повідомляється 6–го червня на сайті Центру громадських зв'язків МВС України.

Вказана інформація направлена до 181 країни світу для приєднання до розшуку Лазаренка, зазначається в повідомленні.

Поновлення ордеру на розшук викликано тим, що кінцева мета розшуку, а саме екстрадиція Лазаренка в Україну не була досягнута, а також те, що судовий процес у Сан-Франциско перебуває у завершальній стадії, результатом якого може стати звільнення Лазаренка з урахуванням строку його попереднього ув'язнення та можливий виїзд за межі США, тому "зняття його з розшуку є недоцільним".

"Перебування Лазаренка у розшуку каналами МОКП - Інтерпол також викликане тим, що процедура його екстрадиції в Україну з території США ускладнена відсутністю двостороннього договору про видачу правопорушників між Україною та США. Екстрадиція Лазаренка в України буде вирішуватися на міждержавному рівні", - говориться в повідомленні.

НЦБ Інтерполу нагадує, що у лютому 1999 року відносно громадянина України Лазаренка Павла Івановича, 23 січня 1953 року народження, уродженця с. Карповка Широковського району Дніпропетровської області, власника паспорта громадянина України – АЕ 000001, який є також власником громадянина Панами - А000330, виданого 13 січня 1995 року, Генпрокуратурою України порушена кримінальна справа № 49-800 за вчинення злочинів, передбачених статтями Кримінального Кодексу.

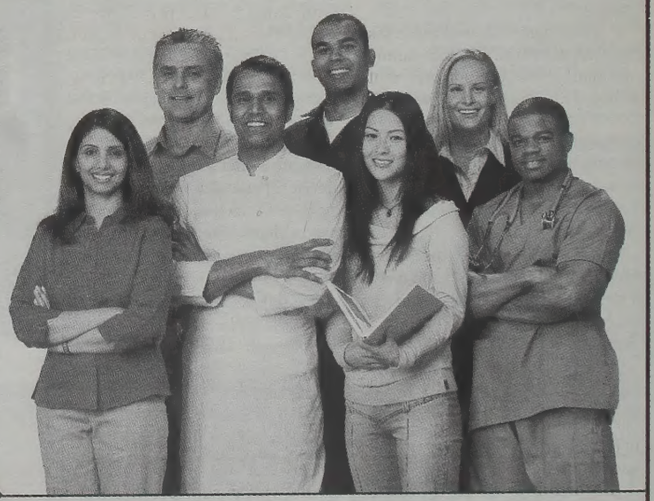
А саме: 86-1 "Розкрадання державного або колективного майна в особливо великих розмірах", 80-1 "Приховування валютної виручки", 165 ч.2 "Зловживання владою або посадовим становищем".

У зв'язку "з неможливістю встановлення місцезнаходження зазначеного громадянина Генеральною прокуратурою України було оголошено його розшук та обрано запобіжний захід у вигляді взяття під варту".

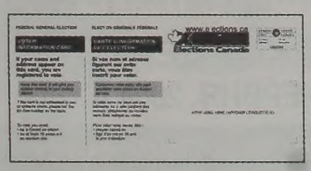
З 23 лютого 1999 року ГУБОЗ МВС України проводяться заходи з розшуку Лазаренка.


Я тут будую своє майбутнє.

**Ви вже готові голосувати на виборах?**



Понеділок, 28 червня 2004 року - день виборів.



Виборча комісія Канади нещодавно надіслала вам інформаційну картку виборця. Збережіть цю картку. В ній знаходиться вся необхідна вам інформація для реалізації вашого виборчого права.

Голосувати мають право громадяни Канади віком принаймні 18 років на день виборів. Голосування є таємним.

Якщо ви не отримали вашу інформаційну картку виборця, або якщо вона містить невірні ваші ім'я чи адресу, будь-ласка одразу зверніться до Виборчої комісії Канади, де ви можете спілкуватись англійською або французькою мовами. Також, ви можете знайти інформацію про голосування на нашому вебсайті.

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# Lazarenko found guilty of money laundering

**By Justin Kane**

(RFE/RL)—Former Ukrainian Prime Minister Pavlo Lazarenko faces up to 20 years in prison and a lengthy appeal process after being convicted on June 3 in a U.S. federal court of money laundering, wire fraud, and extortion.

Jurors found Lazarenko guilty of one count of conspiracy to commit money laundering, seven counts of money laundering, 10 counts of wire fraud, and 11 counts of interstate transportation of stolen property. The Ukrainian crimes underlying the U.S. charges were the extortion of Lazarenko's former partner, Petro Kirichenko, the defrauding of Naukovyy State Farm, and honest services fraud, the jury said.

As the courtroom deputy read the verdict, Lazarenko barely stirred, although one of his attorneys slammed his pen down in disgust. According to defense attorney Doron Weinberg, Lazarenko, who was prepared for the verdict, simply turned to him and asked, "Where shall I go now?" Weinberg told Lazarenko to wait for him, and Lazarenko left the courtroom without speaking to reporters.

Lazarenko kept his silence until after an afternoon hearing that set the schedule for his sentencing, his motions for a new trial and for acquittal, and his appeal. "The Ninth Circuit Court [of Appeals] will put everything in its place," Lazarenko said. "There were so many rude legal mistakes that it's beyond any comment."

Lazarenko will not be sentenced until after Sept. 16, when the court will hear the defense's motion for a new trial and its second motion for acquittal under Rule 29 of U.S. federal rules of criminal procedure. Twenty-three of the original 53 counts against Lazarenko were dropped as a result of the defense's first Rule 29 motion, filed before the defense presented its case.

The prosecutors appeared pleased with the outcome, though they refused to comment immediately after the verdict.

The charges against Lazarenko carry a maximum penalty of 20 years, but Lazarenko has already served nearly five years in prison. Because the amount of money connected to the conviction was US$44 million and not the original $114 million charged in the indictment, Weinberg predicted that Lazarenko would receive a sentence of eight to 10 years from U.S. District Court Judge Martin Jenkins.

Lazarenko has said he will appeal the verdict. His attorney Weinberg said that the jury was "overwhelmed" by the complexity of the case and that the jurors' verdict still left "serious legal questions" to be decided. Lazarenko's appeal will likely attack the complicated legal structure of the counts of which he was convicted.

While waiting for his appeal, Lazarenko will remain under house arrest in San Francisco unless the judge later decides to return him to custody. The decision largely rests on Lazarenko's status with U.S. immigration officials, who would deport him to Ukraine were it not for the U.S. charges against him. The details of the forfeiture of his assets, including his $12 million mansion in California, will also be determined later.

*(Justin Kane is a freelance correspondent covering the Lazarenko trial for RFE/RL's Ukrainian Service.)*

# Kyiv not so eager to integrate with Moscow?

By Jan Maksymiuk

(RFE/RL)—Vasyl Baziv, deputy head of the Ukrainian presidential administration, made a rather unexpected statement on May 28 when he told journalists at a regular briefing in Kyiv that Ukraine does not intend to coordinate the process of joining the World Trade Organization (WTO) with the three other signatories of the accord on the creation of the Single Economic Space (SES), Russia, Belarus, and Kazakhstan. "It is our position that every country has already gone its way and should now follow its own path," Baziv said. "The main thing is not to enter the WTO together or separately, but to enter it as soon as possible."

Baziv's statement was made less than a week after the SES summit in Yalta, where the four presidents talked a lot about the coordination of their policies toward forming a closer economic and trade alliance. In particular, Belarusian President Alyaksandr Lukashenka and Kazakh President Nursultan Nazarbaev stressed in Yalta that the cooperation within the SES would allow the four states to present the same conditions while applying for membership in the WTO. Now Baziv has said something that may be viewed as a clear move to avoid such coordination. True, Baziv added that after becoming a member of the WTO, Ukraine intends to help its SES partners enter the organization.

It remains to be seen whether Baziv's statement will not be renounced by President Leonid Kuchma in the near future, thus becoming only another item on a much longer list of Kyiv's incoherent or even somewhat schizophrenic official pronouncements concerning Ukraine's "multivector" foreign policies. But Moscow has already reacted with surprise to Baziv's words. Deputy Economic Development and Trade Minister Dmitrii Sukhoparov told "Vedomosti" that without a coordinated position of the SES signatories with regard to WTO membership, it will be difficult for them the reach the declared goal of forming a free-trade zone. "If during the talks with WTO members one [SES] country agrees to sharply decrease customs tariffs, it would be senseless for the other countries of the [SES] four, with a view to forming a free-trade zone, to conduct negotiations on tougher conditions," Sukhoparov added.

There were also people in Kyiv who raised eyebrows. "I don't know what happened and why such statements were issued by the presidential administration," Hanna Herman, Prime Minister Viktor Yanukovych's spokeswoman, told "Vedomosti" about Baziv's briefing. "The prime minister permanently stresses the need to coordinate the process of joining the WTO," she added. Is Kuchma making a fool of Yanukovych in the run-up to the presidential elections in which Yanukovych is poised to be the main candidate of the pro-Kuchma forces? Or is it just Kuchma's usual method of pursuing politics — to make a step toward Russia and then balance it by making another one in the opposite direction?

Meanwhile, acting Polish Prime Minister Marek Belka appealed to the European Union the previous week — with the obvious goal of preventing Russia from restoring its influence over Ukraine — that the alliance's 25 states make a clear pledge that Ukraine has a chance for EU membership in the future. Also, European Commission President Romano Prodi seemed to back down on his categorical statement reported in early May that neither Ukraine nor Belarus has any prospect of joining the EU. Prodi told the Kyiv-based "Den" newspaper on May 27 that he was misquoted. "I did not make the statement attributed to me," Prodi said. "We are working together [with Ukraine] on further strengthening our relations in the framework of the European Neighborhood Policy. This policy arose in response to EU expansion, but it is not aimed at expansion.... This question [expansion] is not on the agenda yet."

Whether Brussels is serious in its work with Kyiv — and vice versa — may be seen fairly soon. Kyiv has signaled that it hopes to obtain market-economy status from Brussels — a sine qua non for obtaining WTO membership — during an EU summit planned in The Hague in July. In order to grant such status, Brussels demands that Kyiv relax its state intervention in determining pricing policy and upgrade its legislation on bankruptcy to meet European standards. If everything goes well and Ukraine's economy is recognized as a market one in July, then Kyiv will have a real chance to join the WTO in 2005 and considerably boost its chances of moving closer to Europe, regardless of who becomes Ukraine's president this autumn. If not, the world will most likely continue to witness a wearisome and frustrating tug-of-war between Russia and Europe over what to do about Ukraine — include it in a Russia-dominated free-trade zone or make an EU buffer zone, or perhaps leave the country where it is now — in Europe's twilight zone.

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***Українські Вісті це незалежна газета, яка сама утримується із передплат, оголошень та пожертв на пресовий фонд. Просимо підтримувати нашу газету повищими джерелами. Дякуємо заздалегідь за Вашу підтримку.***

# Appeals court vindicates Ukrainian community's position on D & D

The Federal Court of Appeal decision to reverse cabinet's revocation of Helmut Oberlander's citizenship — and by a unanimous decision to boot — is a judicial vindication of the position the Ukrainian Canadian community has taken all along.

The Ukrainian community never set out to defend "Nazi war criminals", or even "alleged Nazi war criminals" for that matter, since to be any kind of "alleged" criminal, one first has to be charged with a crime, which none of these individuals were.

The Ukrainian community has consistently maintained that this process was an assault on the civil liberties of individuals because they were not being charged with any crime. The whole process was also a back-door attempt to brand these individual as "war criminals" without even having to prove that they committed any crime whatsoever. That's what made it so despicable — and that's what the Federal Court of Appeal is telling the federal government.

"The Governor in Council is not, of course, deciding as a matter of law whether a person is a war criminal, but it cannot apply the war criminals policy to a person unless it first satisfies itself, to use the very words of the policy, that 'there is evidence of direct involvement in or complicity of war crimes or crimes against humanity'," reads the ruling.

"The (Immigration) Minister's Report does refer to the 'no safe haven' policy but does not analyse why it is that Mr. Oberlander fits within the policy which, the Report fails to mention, applies only to suspected war criminals," the ruling adds.

"In face of the express finding by Mr. Justice MacKay that no evidence was presented about any personal involvement of Mr. Oberlander in war crimes, one would expect the Governor in Council to at least explain why, in its view, a policy which, by its very — and underlined — words applied only to suspected war criminals, applied to someone who served only as an interpreter in the German army. I note that neither the Minister in her report nor the reviewing Judge even refer to the fact that Mr. Oberlander had asserted that he had not joined the German army voluntarily and that Mr. Justice MacKay has not made a definite finding as to whether Mr. Oberlander had been conscripted or not."

In other words the government must adhere to its own guidelines set out when the policy was first announced in 1995, namely: "The key criterion in all these proceedings is the existence of some evidence of individual criminality. If that cannot be proven, no proceedings will be considered."

But the bureaucrats at the War Crimes Division who ran these witch hunts chose to ignore these guidelines, since all they were required to do under existing citizenship legislation was to prove that a person "probably", and we stress the word "probably", lied upon coming to Canada, even though all documents relating to that period have been destroyed.

When they did attempt to introduce "evidence" against these people, this "evidence" consisted of statements obtained by the KGB through torture. No wonder judges in three D & D cases threw them out.

Despite the government's vehement denials that any particular group from any particular region has been targeted in D & D proceedings, all the respondents in D & D cases initiated since 1995 (including ethnic Germans) have originally come from East Central Europe or the former Soviet Union (FSU) — the vast majority from the FSU. That's because upon announcing the launch of the D&D policy in a January 1995 news release, the government stated that a major step forward in its investigations was an agreement that gave it access to KGB files.

We are glad the courts have finally rejected this process for the very reason that it deserved to be rejected — namely that there is no evidence of any war crimes committee by the people who were victimized by the process. Now the challenge is to change the Citizenship Act so that such abuse of civil liberties will not be allowed in the future

# Candidates most likely to provide the best representation for our community:

## Part 1 — Ontario

As the federal election approaches, Ukrainian News has decided to post a short list of candidates who are most likely to provide the best representation for our community. This is a short list consisting of those who have either distinguished themselves within the community itself by taking pro-active stands, or have done so as sitting members of parliament. The critical words here are distinguished and pro-active. And the list is not comprehensive because it only refers to those about who we have the most available information. Some may be excluded because we do not have enough available information to make a recommendation. And simply being of Ukrainian origin does not automatically mean that we are endorsing a candidate as "most likely to provide the best representation for our community". Certainly we encourage members of our community, and candidates of Ukrainian origin to stand for election. And if you have a candidate of Ukrainian origin in your riding, then vote for him or her. This also applies to candidates who have good ties with our community. But there have been cases where MPs of non-Ukrainian origin have taken a much more pro-active role in defense of the community's interests than have MPs that actually are of Ukrainian origin. That's why these individuals are being singled out. In this issue we focus on three such candidates in Ontario — two of whom are running for the first time, and one who is a sitting member of parliament. Next week (in our special election issue, which will be coming out earlier than our normal schedule) we will focus on Western Canada.

The three individuals from Ontario we believe will provide the best representation for our community are (from East to West) as follows:

**Jurij Klufas (Conservative, Parkdale High Park):** Certainly Jurij has a very extensive record of service to the Ukrainian community. He is an active member of Plast and is the founder and president of the Bloor West Village Ukrainian Festival — an event which now attracts an astounding 125,000 people. This in itself is a major accomplishment.

But what really sets Jurij apart is his work as the founder and executive producer of the Ukrainian television program "Kontakt". "Kontakt" has not been afraid to tackle those issues that are important to us as Canadians of Ukrainian origin — issues such as Denaturalization and Deportation (D & D), Internment and Redress, Immigration, Multiculturalism, Relations with Ukraine and others. We often have tape recordings of press conferences held in Toronto sent to us, and it is always Jurij who is most likely to pose the most incisive questions to federal and other government representatives.

If he has taken such a pro-active role as a television journalist, then it can be assumed that he will do the same as a member of parliament. That is why Jurij Klufas classifies as one of those "most likely to provide the best representation for our community".

**Borys Wrzesnewskyj (Liberal, Etobicoke Centre):** Voters in Etobicoke Centre are in a win-win situation. Regardless of whether the Liberal or Conservative candidate is elected (unlike largely working-class Etobicoke Lakeshore where the NDP has considerable support, Etobicoke Centre is a relatively affluent riding

## Editorial

and the contests there have historically tended to be Liberal-Conservative affairs) our community can expect to have a good representative. Conservative Lida Preyma has a very good record of community involvement and her victory would be a positive development.

But what sets Borys apart is, again, the pro-active work he has done to date. Borys was not afraid to take a public stand on major issues of importance to our community, even when such a public stand was not the most politically correct thing for a Liberal to do (i.e. D & D). But then he went even further. He organized the Ukrainian Canadian Liberal Committee precisely for the purpose of addressing those issues of specific importance to us within the Liberal Party. He brought the current Prime Minister into a Ukrainian venue during the election campaign specifically to address these issues. And when the Liberal leadership convention came about, he organized a group of youthful delegates to buttonhole delegates to the convention and make them address specific issue of importance to our community.

Again, if that's what he has done prior to this election, then it is quite safe to assume he will do the same if elected to parliament. That's what sets him apart.

(It should be noted that if both Klufas and Wrzeesnewskyy are elected, we will have two very strong representatives on both sides of the House, regardless of who forms the government.)

**Andrew Telegdi (Liberal, Kitchener-Waterloo):** No member of parliament in any party has done more to raise the public consciousness about the gross injustice of the D & D process than Andrew Telegdi. He was not afraid to speak out publicly even though he was hauled on the carpet by then Prime Minister Jean Chretien for doing so. He resigned a position as Parliamentary Secretary (and the extra salary and perks that came with it) to then Citizenship and Immigration Minister Elinor Caplan precisely because of his opposition to this process. He then spearheaded a major campaign to get the grassroots of the Liberal Party itself to reject this process as undemocratic. This was accomplished when delegates to the provincial wing conventions of the Liberal Party in the four largest provinces in Canada, representing 85% of the population, voted overwhelmingly for and gave a very high priority to, a policy resolution calling for an end to the current system of revocation of citizenship.

When Wasyl Odynsky's citizenship was to be decided in cabinet, it was Telegdi who led the battle against revocation in the Liberal caucus that day and it was largely due to his efforts that the revocation was put on hold.

Now that the Federal Court of Appeal has dealt what may be the death blow to this policy, it is good to remember that it was Andrew Telegdi who led a lonely fight against this process for many years. But if the current process is dropped due to the court decision, it may still be used in future cases unless the Citizenship Act itself is changed. Andrew is now leading that battle.

Andrew Telegdi has shown he is not afraid to buck the party leadership when it comes to civil liberties, and that's what distinguishes him as "most likely to provide the best representation for our community".

# До статті «20–ліття Товариства Приятелів Українського Села»

## Лист до редакції

Високоповажаний пане Редактор!

Ваша стаття 12–го травня, «20–ліття Товариства Приятелів Українського Села» не є правдива. Повинно бути так:

1972 року зійшлися о. митрат Н. Сопуляк, Ор. М. Снігурович і пан Франк Лакуста щоб обговорити справу українського села.

Пан Ф. Лакуста обіцяв кілька своїх акрів на цю справу. Село мало бути в тім самім місцю як тепер.

Ми в трійку поїхали до дому п. Лакусти і його дружина і син дуже радо на це погодилися.

Вміж часі я пішов з Юрієм Стефаником до нашого прем'єра, представити йому справу двомовних шкіл в Альберті. Я тоді був головою КУК. Ми зачали дискусію про Село. Мені було сказано зібрати 1.000.000 долярів і уряд дасть цю саму суму щоб можна зачати роботу. Я відповів, що в короткім часі не зможу зібрати мільйон долярів від наших людей.

Достойний міністер Культури пані La Messier, оголосила 1975 р., що уряд переберає фінансування села. Я побачив, що село перейшло в руки пров. уряду і не є більше під чисто українським проводом і з тої організації я зрезигнував.

Вірю, що Ви знайдете місце на моє твердження.

Остаюсь з правдивою пошаною до Вас.

*Д–р М. Снігурович*

# Yanukovych tries to clean up his image

**By Taras Kuzio**

(Jamestown Foundation)—Prime Minister Viktor Yanukovych was nominated on April 14 as the candidate of the pro-presidential camp for the Oct. 31 presidential election in Ukraine. The nomination came six days after a parliamentary vote on constitutional changes failed. Opinion polls show Yanukovych to have overtaken Communist Party leader Petro Symonenko as the second-most popular candidate. Therefore, he is likely to go to the second round, where he will face Viktor Yushchenko, leader of the Our Ukraine bloc. Yanukovych has two drawbacks as a candidate: his own criminal background and his association with the Donbas region. Yanukovych heads the Party of Regions, the Donbas "party of power." From 1997 to 2002, Yanukovych was Donetsk governor and has close links to Renat Akhmetov, one of Ukraine's wealthiest oligarchs, who is chief executive of Donetsk-based Systems Capital Management. Until Yanukovych was nominated as prime minister in November 2002, he never included information concerning his two prison terms in any of his biographies. The two prison terms are still ignored in many Yanukovych biographies.

Yanukovych was sentenced to three years imprisonment, from 1967 to 1970, for theft. But he was released early. He was again imprisoned from 1970 to 1972 for violence. In 1978, the Donetsk oblast court annulled both convictions. Hanna Herman, Yanukovych's new press spokeswoman, complained that, "Someone is very eager to discredit the leading aspirant to the top post in our state". President Kuchma added that it is, "a bit laughable when this factor is used". A Cabinet of Ministers press release, dated May 13, also linked the public airing of Yanukovych's prison terms to the election campaign.

The issue will not go away. Even within the pro-presidential camp not everybody is convinced that it was a right choice to put forward a candidate with two criminal convictions. Members of the Lviv branch of the pro-presidential Labor Party refused to back Yanukovych because he had been twice imprisoned and they believe he would, "transform Ukraine into a Donetsk gubernia".

Not surprisingly, the opposition has raised the issue. Our Ukraine Deputy Mykola Tomenko posed a question in Parliament to Interior Minister Mykola Bilokin, in which he asked for details relating to both convictions. Answering the question has proven difficult for Bilokin, as the original documents in Donetsk oblast courts pertaining to Yanukovych between 1960 and 1970 have disappeared. A similar cleansing of official documents pertaining to the past of Viktor Medvedchuk, head of the presidential administration, took place after the publication in 2001 of an unflattering biography entitled *Narcissist* by Our Ukraine Deputy Dmytro Chobit.

Oleksandr Kondratyev, chairman of the Donetsk appeals court, attempted to clear up Yanukovych's criminal background at a news conference during which he outlined the convictions. Kondrateyev explained how former cosmonaut and USSR Supreme Soviet Deputy Georgiy Beregoviy interceded on Yanukovych's behalf to help overturn both convictions. After the press conference, Donetsk media publicised a claim that the 1978 overturning of the two convictions was legitimate as Yanukovych had been charged on "false testimony". It was offered as further proof of his innocence that Yanukovych was permitted to join the Communist Party in 1970.

In 1973, Medvedchuk was also sentenced to two years imprisonment for violence. But he, like Yanukovych, did not serve his full sentence. Quashing of Medvedchuk's conviction may have been based on an illicitly taped conversion by presidential guard Mykola Melnychenko. On the recording, Kuchma is told by then-Chairman of the Security Service Leonid Derkach that Medvedchuk and his long-time oligarch ally, Grygoriy Surkis, had been KGB agents.

Yanukovych's image has also been damaged by his association with the Donbas, a Ukrainian region well-known as politically akin to Belarus — and one of Ukraine's most corrupt regions. Donbas is considered domestically and abroad as a region with very close ties joining local political and business interests with organised crime elites. Yanukovych and his allies do not seem to understand those links. But in February, the Industrial Union of the Donbas (ISD) failed to win a tender in the privatisation of the Polish steelworks Huta Czestochowa. The ISD tender was turned down on the advice of the Polish Internal Security Agency (ABW), which alleged that the ISD possessed an "unfathomable source of capital, unknown business structure, and was possibly involved in money laundering".

Yanukovych is hampered in improving his image by his ties to the pro-presidential camp. His ratings have declined because of his refusal to condemn election malpractice in the April Mukachevo mayoral elections. His support for media freedom sits uneasily with his history of affiliation with pro-Kuchma allies and his own record as governor in the Donbas, which developed as the Ukrainian region with the worst record on media freedom. Yanukovych has attempted to improve this image by hiring Herman, head of Ukraine's Radio Liberty office. Yanukovych claims that she would assist him, if he won the election, in developing media freedom in Ukraine.

Yanukovych is also saddled with the inability of Ukraine's authorities to resolve the fall 2000 murder of opposition journalist Heorhiy Gongadze, editor of the Internet *Ukrayinska Pravda* newspaper. During Yanukovych's visit to Brussels to attend a meeting with the EU, the International Union of Journalists (IUJ) gave him a letter which was critical of the way the Gongadze case was handled. Yanukovych told the IUJ that he would make "strengthening media freedom one of the priorities of his election campaign".

Ukraine's oligarchs have long sought scholarly links and academic doctorates as a means to improve their status. In May, Yanukovych was elected to the Presidium of the Academy of Sciences. Finally, Yanukovych was quick to appoint as his adviser Ruslana Lyzhychko, the Ukrainian entrant who won the 49th Eurovision contest held last month in Istanbul. As a result of the Ukrainian win, next year's contest will be hosted in Kyiv by the victor in this year's presidential election.

# Justice a long time coming

**By Peter Worthington,**
*Toronto Sun, June 2, 2004*

The Liberal government has inadvertently been dealt a crushing blow in its bid for re-election.

In a unanimous decision, the Federal Court of Appeal has thrown out the government's bid to deport Helmut Oberlander of Kitchener and restored his Canadian citizenship, which had been revoked earlier.

Oberlander, 80, is one of a handful of aging Ukrainians who were forced as teenagers to work for the Nazis during World War II and had their citizenship revoked and whom the government wants deported because they "probably" didn't reveal details of their past when they entered Canada 50 years ago.

The 28-page appeal court decision also constitutes a rebuke to Immigration and Citizenship Minister Anne McLellan (UkrNews Ed. Note. Anne McLellan was Justice, not Citizenship Minister at the time, but the decision does constitute a rebuke to her as well as then Citizenship Minister Elinor Caplan) and her predecessors and to Justice Minister Irwin Cotler, who is a former Nazi hunter.

The essence of the decision by Justices Robert Decary, Edgar Sexton and Brian Malone is the government did not follow its own guidelines of fairness for revocation of citizenship and deportation. In other words, it seemed a vendetta was being waged against Oberlander and, by implication, Wasyl Odynsky of Toronto. As teenagers in Ukraine in World War II, they were forced to become Nazi auxiliaries.

Superior Court Judge Andrew MacKay had earlier ruled there was no evidence that Oberlander (or Odynsky) had committed war crimes, but "on the balance of probabilities" they had misrepresented or did not disclose their wartime experiences on entering Canada, and therefore were liable for deportation. The government's stated policy is that "Canada will not become a safe haven" for war criminals.

The appeal court ruled that the governor in council (i.e. the cabinet) "cannot apply the war criminals policy to a person unless it first satisfies itself to use the very words of the policy that 'there is evidence of direct involvement in or complicity of war crimes or crimes against humanity.' "

The appeal court found that the immigration minister and cabinet ignored the fact that Oberlander was not a war criminal. Also, the cabinet, which makes the final ruling, is obliged to weigh mitigating factors regarding the person's life in Canada but failed to do so. The appeal court justices questioned the propriety of the citizenship minister (McLellan) writing the report to cabinet urging deportation, then as a member of cabinet judging the report and approving it.

It meant the minister was both a prosecutor and judge and jury.

McLellan and cabinet ignored the personal submission and facts: "(W)here the personal interests consideration are so overwhelmingly favourable to the person concerned as they are here — 50 years of irreproachable life in Canada — one should expect the decision-maker to at least formally recognize the existence of those interests ... the decision (to revoke citizenship and deport) is patently unreasonable."

The court criticized the cabinet's failure to provide sufficient reasons for revoking citizenship and ordering deportation. That decision was "unreasonable." The court awarded costs to Oberlander.

The hero of this case, if that isn't too strong a word, is Liberal MP Andrew Telegdi (Kitchener-Waterloo), who resigned as parliamentary secretary to former immigration minister Elinor Caplan and has relentlessly opposed deportation without the right of appeal. "The legislation was persecution, not prosecution," Telegdi says. "Thanks to the appeal court, the dominoes are now falling the other way ... it's a tragedy ... a number of people have died in bankruptcy fighting this bad legislation." Hungarian-born Telegdi felt the revocation law without the right of appeal made second-class citizens out of naturalized Canadians.

Bernie Farber, executive director of the Canadian Jewish Congress which supported citizenship revocation and deportation without an appeal process, has criticized those who defended Oberlander and Odynsky.

"Justice has clearly been done," Farber wrote last year, before the appeal court ruling. "The courts have already spoken." Not quite.

The Federal Court of Appeal has now spoken — in favour of Oberlander.

The government can now apply for the right to appeal — which it probably won't get. Justice, finally, seems to have been done.


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# International concern voiced for journalists

(RFE/RLUNIAN/BBC Monitoring Service))—A leading international media watchdog, Reporters Without Borders (RSF), criticized Ukrainian authorities May 29 for the arrests of two opposition journalists.

The Paris-based group called the arrests the latest sign of the muzzling of the press ahead of this fall's presidential election.

The group said it does question the real reason for the reporters' arrest. The group also said that the journalists had dealt with issues that are "sensitive for the authorities."

Oleksandr Pomytkin, known for investigating corruption within the security forces, was arrested on May 23 on charges of "fraudulently taking sums of money belonging to an individual."

Another journalist, Kostiantyn Sydorenko, was arrested on May 22 on charges of illegal possession of explosives.

And on June 3, Hanne Severinsen, a rapporteur of the Parliamentary Assembly of the Council of Europe [PACE], noted the danger that exists for mass media which cover the viewpoints of the opposition.

Speaking at a news conference in Kyiv, she said that "a danger does exist for the existence of the mass media, which cover the viewpoints of the opposition and this is not a very good situation".

# Pavlysh gets life ban for doping

World indoor shot put champion Vita Pavlysh has been banned for life after testing positive for the anabolic steroid stanozolol for a second time, Ukraine's athletics chiefs said on June 1.

Pavlysh, 35, failed the drug test at this year's world indoor championships in Budapest after easily winning her event, reported Reuters.

"We have decided to ban her for life because it was her second offence," said a spokesman for the Ukrainian Athletic Federation. "Enough is enough."

Pavlysh served a two-year ban in 2001 after testing positive for stanozolol at the 1999 world indoor championships in Maebashi, Japan, where she also finished first.

She also won the world indoor title in 1997 and was twice a European champion.

Pavlysh is the second world indoor champion to test positive for stanozolol.

Russia's Anastasiya Kapachinskaya, who won the 200 metres in Budapest, was banned for two years by the country's athletic federation the previous week.

# Czechs make play-offs after beating Ukraine

(UEFA)—The Czech Republic will take part in the UEFA Women's Championship qualifying playoffs after a comfortable win against Ukraine, June 5.

Pavlina Scasna scored twice and Katerina Doskova and Blanka Penickova added the other goals to ensure the Czechs, who cannot catch Group 4 winners Germany in the face for automatic qualification, second place in the pool and a two-legged tie this autumn for one of the remaining places in the England-hosted finals next summer. Czech coach Dusan Zovinec admitted: "Our original task was only to avoid relegation."

It seemed Ukraine, who needed victory to keep their qualification hopes alive having already ensured they would not face a relegation play-off, would be ahead on four minutes when the gained a penalty for handball. But Olena Mazurenkova missed the spot-kick and within 60 seconds the Czechs had a penalty of their own which Scansa converted.

FC Bayern München-based Scansa added the second in the 63rd minute with a superb solo effort. Doskova scored in similar style 17 minutes later, but although Ukraine had Natalja Zidanovova and Ludmila Pekurova sent off, they pulled one back through Tatjana Verezubova.

However, in added time Penickova curled a free-kick into the net to seal the win. The Czechs return to action on Sept. 6 against Scotland, who will be looking for a victory to keep alive their hopes of being one of the two third-placed teams in the four championship groups to enter the play-offs, which will definitely contain today's victors and Iceland.

# Dobrynska second at Arles

(IAAF/UkrNews Marie Collonvillé of France bested Nataliya Dobrynska of Ukraine at the Arles - IAAF Combined Events World 2004 Challenge in the French City, June 7.

Collonvillé, who clinched her second win in the challenge after Desenzano in May, scored 6260 points ahead of Dobrynska, (6183 points), and Czech Mihaela Hejnova (6174 points) in a competition where eight women finished above 6000 points, a record for the meet.

The turning point of the women's competition came at the Javelin after the Long Jump didn't produce any change among the top three (Dobrynska, Collonville, and Tatyana Zhevnova of Belarus), who jumped respectively 6.23, 6.21 and 6.22. Dobrynska couldn't repeat her 47m from Götzis and had to settle with 41.71m on her third attempt, a 45.42m throw propelled Collonvillé to the top.

At the same time Czech Mihaela Hejnova moved from 8th to 3rd with a performance of 47.90m. By then the Frenchwoman had secured her victory, and showed it by letting no one else win the 800m A race. Behind her, Dobrynska managed to stay close enough to Hejnova to preserve a 9 point advantage on Hejnova.

## Briefly

### Klochkova, Malar take medals

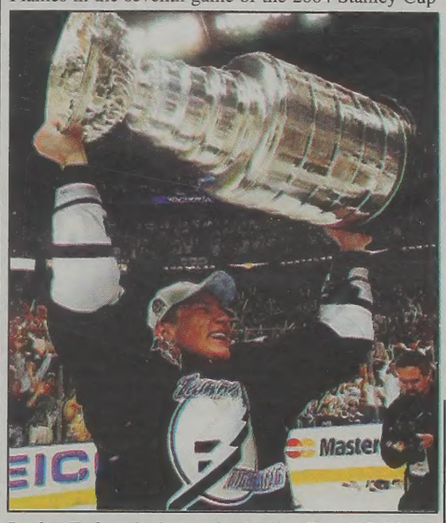
Olympic champion and world record holder Yana Klochkova of Ukraine won the gold medal in the 400-metre individual medley at the Monte Carlo leg of the four-stop Mare Nostrum swimming tour on June 2, while Ukrainian Canadian Joanne Malar took the bronze, reports the Canadian Press. "It's a good starting point but I want to crack down on that time over the next couple of weeks over here," said Malar, who will try to make her fourth Olympic team this summer.

### Babakova wins

(IAAF)—Ukrainian Inga Babakova won the Women's High Jump at the Meeting de Atletismo Sevilla 2004 — IAAF Grand Prix, June 6. Now aged 37, Babakova fell one centimetre short off her own World leading mark clearing 1.98m in her third attempt before failing three times over a would-be World leading 2.00m. Spain's Ruth Beitia beat Ukraine's Irina Mykhalchenko on count-back both having jumped 1.95m.

# Fedotenko becomes first native Ukrainian to win Stanley Cup

(UkrNews)—Kyiv-born Ruslan Fedotenko, 25, became the first native-born Ukrainian to win the Stanley Cup as the Tampa Bay Lightning defeated the Calgary Flames in the seventh game of the 2004 Stanley Cup final, June 7.



*Ruslan Fedotenko hoists the Stanley Cup. (AP Photo/ Chris O'Meara)*

Fedotenko scored both goals in Tampa's 2-1 win over Calgary, ending the amazing Cinderella bid of the underdog Flames, who took the number-one seeded Eastern champions to the limit after beating three other division leaders in the playoffs.

Tampa Bay also had several Canadians of Ukrainian origin on its roster — Dave Andreychuk, Cory Sarich, Brad Lukowich and Darryl Sydor.

Calgary had one — Andrew Ference.

Enough Canadians of Ukrainian origin have lifted the Stanley Cup in the past to fill an All-time All-Star team.

Among them are Turk Broda, Terry Sawchuk, Johnny Bower, Johnny Bucyk, Eddie Shack, Mike Bossy, Mike Krushelnycky and even Wayne Gretzky (who actually is of Ukrainian origin despite his refusal to admit it.)

## Sports

# Zidane volley earns France victory over Ukraine

(UEFA)—Zinedine Zidane fired home a late volley for a 1-0 win over compact Ukraine at the Stade de France in Paris, June 6, to boost France in their final Euro 2004 warm-up match, reports Agence France Presse.

Exactly a week before their European championship opener against England, France managed to overcome a well-organised defence in the 88th minute when Zidane, fed by Thierry Henry, fired low and to the left for the winner.

Zidane's showing improved gradually throughout the 90 minutes and he was probably most people's man-of-the-match.

The Ukrainians, without their star AC Milan striker Andriy Shevchenko, played a disciplined match with tight marking giving little space for France to put on the style.

*Ukraine's Oleh Husyey, right, duels for the ball with France's Bixente Lizarazu during their friendly soccer game. (AP Photo/Jacques Brinon)*

# Lishchinska, Govorova win

(IAAF/UkrNews)—With a perfectly executed kick, Ukrainian Irina Lishchinska powered past Lidia Chojecka and Kelly Holmes in the final moments of the women's 1500-metre race to win in 4:03.74, an effort that finally broke Grete Waitz's 27-year-old meet record, at the Golden Spike Super Grand Prix in Ostrava, Czech Republic, June 8.

Chojecka (4:04.15) held off Holmes (4:04.18) to finish second.

Also, Olena Govorova of Ukraine produced a lopsided win in the Triple Jump, besting Romanian Adelina Gavrila 14.51 to 14.29. Bahamian Tonique Williams won the 400 in 50.28, the third fastest performance of the year, well ahead of runner-up Ionela Tirlea of Romania (50.91).

*Anna Bessonova performs with the clubs. REUTERS/ Gleb Garanich*

# Kabaeva beats Ukraine's Bessonova for rhythmic title

World champion Alina Kabaeva of Russia won the gold medal June 6 in the individual all-around in rhythmic gymnastics at the European championships, in Kyiv, reports The Associated Press.

Kabaeva finished with 106.625 points and was followed by Ukraine's Anna Bessonova, her rival for years, with 104.400. Russia's Irina Chaschina was third with 101.775.

Bessonova won gold in three of four apparatus events at the 2003 Europeans in Germany. Kabaeva had been banned for a year after she had tested positive for a diuretic at the Goodwill Games.

On June 5, Kabaeva led the Russian team to a gold medal in the individual all-around with 208.400 points. Ukraine was second with 200.550 and Belarus was third with 189.775.

# Shevchenko going nowhere — Milan

(football365.com)—AC Milan have attempted to play down speculation over the future of star striker Andriy Shevchenko by insisting he is not for sale at any price.

Despite the Ukrainian recently extending his contract at San Siro, rumours linking him with a move to Chelsea have failed to subside. Reports in the Italian press suggest Chelsea owner Roman Abramovich has offered 50million euros plus Argentinian striker Hernan Crespo for Shevchenko, but Milan are adamant their man is going nowhere.

"Shevchenko is not for sale," Milan sporting director Ariedo Braida told PA International.

"It's not a question of money for one can offer 10 times what he is worth and it wouldn't make a difference. There can be clubs interested in our players but we don't sell our stars. When a player is not on the market that's the end of the story."

# Opposition candidate targeted by skinheads

**By Taras Kuzio**

(Jamestown Foundation)—On June 1, Ukrainian Parliament Deputy Speaker Oleksandr Zinchenko complained of collusion between "law enforcement structures and the criminal world" in the April 18 Mukachevo mayoral elections. Zinchenko specifically targeted "skinheads," who had been reportedly organized as paramilitary groups by the presidential administration and the Social Democratic United Party (SDPU-o), both of which are led by Viktor Medvedchuk. The "strategic, decisive decision" by the Trans-Carpathian governor, Interior Ministry and organized crime skinheads to undertake illegal activities "was not made in Trans-Carpathia but in Kyiv", Zinchenko stated. This was Zinchenko's second speech focusing on the elections. Speaker Volodymyr Lytvyn asserted in an earlier debate that, "what took place was simply a disgrace".

Skinheads also have been conspicuous on a national level. Most of the disruption in presidential election campaigning has been felt by pro-Western Viktor Yushchenko, the most popular candidate, and emanated from outside Yushchenko's western and central Ukrainian strongholds. In those regions he faces little competition from either of his two main rivals — Prime Minister Viktor Yanukovych or Communist Party leader Petro Symonenko. It will be primarily in the more Russian-speaking east and south where Yushchenko will have a tough election battle on his hands. This is clearly understood by rival candidates.

When Yushchenko's Our Ukraine party held its regional congress in Donetsk on Oct. 31, skinheads acted as stewards, organizing students in opposition to the so-called "Nashists." The term Nashists is a play on the words Nasha Ukrayina (Our Ukraine). The opposition compared Our Ukraine party members to Nazis. Billboards plastered throughout Donetsk featured Yushchenko giving a Nazi salute. Yushchenko eventually won a libel suit but was awarded only 500 hryvni ($US50) in compensation.

Paying students to demonstrate against the opposition or vote in favor of the authorities' candidates has become commonplace. At a recent demonstration in Kyiv, students holding anti-Yushchenko/Our Ukraine placards were embarrassed to be filmed because they admitted having been paid 10 hryvni to attend the demonstration.

Deputy Regional Governor Anton Kisse won the May 31 parliamentary seat election in Odesa. The low 24 percent voter turnout indicates that only 7.26 percent of voters in the constituency actually cast ballots in his favor. Our Ukraine-backed candidate Mykhailo Brodsky, head of the Yabloko party, came in third. Brodsky alleged that Kosse's victory was a consequence of students being, "ordered to support one of the candidates who was represented by administrative resources". These student votes, combined with low voter turnout that worked against the opposition, gave Kisse his victory.

In the eastern Ukrainian cities of Kharkiv, Donetsk and Zaporizhzhia, Yushchenko has encountered opposition from regional governors. These officials are divided between orders to provide administrative resources for their candidate, Yanukovych, and responsibility for ensuring free and fair elections. Yanukovych's home base Donetsk, one of the most politically repressive regions in Ukraine, continues to prevent free and fair electioneering. Donetsk Mayor Oleksandr Lukianchenko was clearly irritated by Our Ukraine's electioneering in his city. This represented "unhealthy agitation", he said. A day after his complaints, skinheads attacked Our Ukraine activists holding an election campaign rally entitled "Yes to Good Living Standards! No to dictatorship!".

In Kharkiv, Governor Yevhen Kushnariov ordered the release of two Our Ukraine activists from 10 and 15-day administrative arrests. Kushnariov was embarrassed by domestic and international criticism of his actions in ordering the incarcerations. Requests by Our Ukraine to hold demonstrations were turned down in Sevastopol and Kyiv. In Zaporizhzhia, security guards shot at Our Ukraine activists distributing leaflets outside the university after they refused to halt their activities. University rectors, who are beholden for their positions to the presidential administration, sought to block opposition access to students. In Sumy, students were ordered to discard leaflets that they were given at the entrance to the university.

In Kyiv, Luhansk, Odesa and Zhitomir, offices of Our Ukraine have been entered illegally. The main aim of the culprits was to obtain lists of Our Ukraine members or sympathizers who could then be pressured into withholding support. In the Trans-Carpathian town of Mukachevo, teachers sympathetic to Our Ukraine were sacked. The parliamentary human rights ombudswoman protested the firings after receiving numerous appeals from sacked teachers. About 450 teachers from throughout Ukraine, who attempted to attend an opposition-backed education forum in Dnipropetrovsk, found that local authorities had closed the hall that they had rented. In Chernihiv, offices of Rukh, a party allied to Our Ukraine, was bombed. The attack was the third incident of this year. Opposition billboards, it would seem, are particularly offensive. In April and May, billboards supporting Yushchenko with the slogan "Yes! I Believe in Ukraine!" were legally paid for and erected throughout Ukraine. Within a short period, most had either been defaced or covered.

When Yanukovych and other officials visited the Crimean capitol city of Simferopol, as well as the cities of Melitopol and Chernivtsi, billboards were removed, either on orders from the presidential administration or on the initiative of over-zealous regional governors. Issuing bogus opposition leaflets is a long-standing practice. Such leaflets in 2003 precipitated Our Ukraine protests that led to parliament forbidding the post office from distributing political leaflets to homes. This has not halted the practice. A recent leaflet and poster that was widely-circulated by hand in Kyiv attempted to discredit Our Ukraine by offering to pay "a stable income until November" if an individual participated in opposition street protests. Anti-opposition media outlets quickly publicized this fake leaflet.

# Rada fails to admonish prosecutor over dubious ballot

(RFE/RL)—The Verkhovna Rada on June 1 rejected a proposed resolution saying an investigation by the Prosecutor-General's Office into allegations of vote rigging in a mayoral election in Mukacheve on April 18 is unsatisfactory, Ukrainian news agencies reported.

The resolution was backed by 206 of 414 deputies present (226 votes were necessary for approval). The vote followed reports on the Mukacheve case presented by Deputy Prosecutor-General Mykola Halomsha, representatives of the Interior Ministry and the Security Service, and Ukrainian Ombudswoman Nina Karpachova.

Holomsha said the Prosecutor-General's Office cannot file a formal protest because such a move is beyond the office's competencies.

In response to Holomsha's statement, the Our Ukraine opposition bloc demanded the dismissal of Prosecutor-General Hennadiy Vasylyev, accusing him of "cynical inactivity" in the investigation of the Mukacheve case.

Karpachova read a statement by policeman Mykola Zhumel, who was responsible on April 19 for guarding the room with protocols from polling-station election commissions.

Zhumel said superiors ordered him and his colleagues to leave their post at the room with protocols for two hours.

After Zhumel returned, he said, he saw that the room had been burglarized. Zhumel, who was present in the session hall when Karpachova read his statement, confirmed that version of events.

The Our Ukraine bloc alleges that authorities in Mukacheve substituted falsified polling-station protocols for the originals in order to award the victory to Ernest Nuser, a candidate supported by the Social Democratic Party-united (SDPU-o) led by presidential administration chief Viktor Medvedchuk.

"Today, this man is defending democracy in Ukraine," Our Ukraine leader Viktor Yushchenko said of Zhumel's confession in parliament.

# Communists, Socialists may join

(RFE/RL)—The leadership of the Socialist Party and the Communist Party is planning to hold a conference to discuss the possible fielding of a joint presidential candidate in the Ukrainian presidential election scheduled for Oct. 31, Ukrainian news agencies reported on June 1, quoting Socialist Party head Oleksandr Moroz. The previous week, Communist Party leader Petro Symonenko said he has proposed fielding a joint presidential candidate and forming a coalition for the subsequent parliamentary elections .

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# Сергій Шолох свідчитиме в суді

## Але тільки коли судитимуть Медведчука і Кучму

(Українська правда)—Сергій Шолох, керівник радіо "Континент", не збирається повертатися в Україну для участі в судовому процесі за позовом до видання "Україна молода".

Як заявив в ефірі "Громадського радіо" Шолох, він приїде в Україну тільки тоді, коли будуть" прилюдно судити Медведчка і Кучму, я буду як свідок. А зараз я не приїду", - сказав Шолох.

Коментуючи позов редактора черкаської газети Валерія Воротника та колишнього юриста ІМІ Марії Самбур до видань "Україна молода" та Інтернет-видання "Українська правда", Сергій Шолох зазначив, що "позови мають декілька пластів".

"Перше – це спосіб придушення Інтернет-преси. Друге - ці двоє позивачів нічого не змогли зробити, жодного замовлення вони не виконали, вони намагаються себе продавати в якійсь передвиборчий штаб. Нічого вони не зможуть зробити, ніхто їх не купить.

По-третє, це спроба витягнути мене в Україну. Ці спроби відбуваються вже досить довго. Принаймні, за ці 100 днів, що я закордоном, тричі мене намагалися схопити і вивезти. Нічого не вийшло і не вийде", - сказав Шолох.

"Але я чітко розумію: як тільки я перетну кордон, мене схоплять. І ті погрози, які оприлюднені на сайті "Опозиція", будуть виконані. Там чітко сказано, що Сергія Шолоха, його тіло без голови буде знайдено на одному з київських смітників. Це реальна погроза.

"Я знаю, що, згідно із законом України, генпрокурор має порушувати кримінальну справу за фактом публікації у пресі. Тому я звертаюся до генерального прокурора, щоб він дослідив цей сайт – oppo.info – де реальна погроза на адресу з моїм прізвищем. У такій ситуації повертатися в Україну безглуздо", - сказав Шолох.

"Єдине, що мене дивує, на що саме образились Самбур та Воротник, чим саме я їх образив..." – розмірковував Шолох.

8–го червня Шевченківський суд Києва почав розглядати позов редактора черкаської газети "Антена" Валерія Воротника і колишнього юриста Інституту масової інформації Марії Самбур до газети "Україна молода". Позивачі вимагають по 10 тисяч гривень компенсації за моральну шкоду, завдану поширенням про них неправдивої інформації. На думку позивачів, інтерв'ю з директором радіо "Континент" Сергієм Шолохом, надруковане в "Україні молодій" 11 березня цього року, містить неправдиву інформацію про них. Щоправда, Марія Самбур відмовилася уточнити, яку саме інформацію про себе вона вважає неправдивою.

За словами журналістки "України молодої" Олени Зварич, яка брала інтерв'ю в Шолоха, він повідомив, що Воротник і Самбур причетні до погроз на його адресу. На думку редакції "України молодої", цей позов має політичний підтекст.

Суд Києва ухвалив рішення притягнути як співвідповідача за позовом до "України молодої" Сергія Шолоха.

Сергій Шолох, керівник радіо "Континент", яке припинило мовлення 3 березня цього року. Радіостанція транслювала програми Української служби ВВС, радіостанцій "Голос Америки", "Німецької хвилі", "Польського радіо" та "Громадського радіо". У лютому Сергій Шолох виїхав з України і зараз перебуває в одній з європейських держав.

*Зліва: проф. Теофіль Кіс, проф. Ірена Макарик та пані Ґерта Гнатишин*

# Шекспір у постановці Леся Курбаса

## Презентація книжки проф. Ірени Макарик, та її доповідь з приводу інавґурації Катедрою українських студій циклю лекцій Високодостойного Рамона Гнатишина

**Юлія Войчишин**

7–го травня, в Оттавському університеті, відбулася презентація щойно виданої наукової праці проф. англістики Оттавського університету, Ірени Макарик під назвою "Shakespeare in the Undiscovered Bourn: Les Kurbas, Ukrainian Modernism, and Early Soviet Cultural Politics" (Шекспір в незнаному краю: Лесь Курбас, український модернізм і рання совєтська культуральна політика).

Вечір відкрив завідувач Катедри Українських студій Оттавського університету Домінік Арель, одночасно оголосивши, що Катедра започатковує серію лекцій на честь першого патрона Катедри, вже покійного Генерал–Губернатора Рамона Гнатишина під назвою "Ramon J. Hnatyshyn Lecture Series". Катедра також від свого заснування в 1995 році, разом з Асоціяцією українських канадських професіоналістів і підприємців Оттави, продовжує попередньо започатковану в 1985 році в Карлетонському університеті серію лекцій ім. Івана Франка, що вже 18 років відбуваються в березні кожного року. В 2001 році, використовуючи факт, що в Оттаві знаходиться багато амбасад, катедра заснувала серію «Лекції Послів», і до цього часу відбулося вже 5 вечорів з участю амбасадорів різних країн. Присутня на вечорі пані Ґерда Гнатишин подякувала від родини за створення серії лекцій ім. її славного чоловіка. Покликаний до слова Бил Гарнум (Bill Harnum), віце–президент Видавництва торонтського університету, де вийшла книга, похвалив авторку за написання знаменитої праці і окреслив її наукову особистість як: "careful professional and reasonable".

Проф. Ірена Макарик була особливо зворушена присутністю пані Гнатишин і розказала про дружні взаємовідносини між Патроном і академічною Дорадчою радою Катедри українських студій "Thankfully, our Patron turned out to be not some distant figurehead who merely lent his name and prestige to the Chair, but a fully-engaged member of "the team"...". Обоє панство Гнатишин були свідомі того, що мистецтво і мистці відіграють важливу ролю у формуванні і збагаченні національної ідентичности і ця свідомість спонукала його до практичної дії, а саме:

– створення The Governor General's Performing Arts Awards, що стало частиною канадського артистичного світу; та

– заснування Hnatyshyn Foundation, також для розвитку культури.

Перша в циклі лекцій на честь першого патрона Катедри, Інавгураційна доповідь проф. Ірени Макарик під назвою "Theatre, Nation, Identity: Les Kurbas and Modernist Shakespeare". (Театр, народ, ідентичність: Лесь Курбас і модерністичний Шекспір) – становила зконденсовану суть її презентованої цього вечора книги «Шекспір у незнаному краю». Вона пояснила, що як професор англістики вона уважає, що про Курбаса повинні знати також і в англомовному світі, а як шекспірознавець її цікавило, що спонукало Курбаса включити Шекспіра у свою програму. Цією книгою проф. Макарик дає відповідь на це.

Лесь Курбас, про якого Йосип Гірняк, актор «Березоля» у своїх «Споминах» сказав, що Лесь є «Найбільша постать в історії українського театру – найтрагічніша постать в українському театрі». Актор, режисер, драматург, кінопродусер, перекладач і засновник першого українського модерного театру в якому, також вперше, поставив у 1924 році «Макбет» Шекспіра в перекладі на українську мову з режисерськими поправками та сучасною інтерпретацією, що викликало критику в деяких колах тодішнього суспільства. Професор Макарик дослідила найглибше цю частину життя і діяльности Леся Курбаса і в своїх дослідах відкрила багато нового та прийшла до цікавих висновків, що розкриває загадку трагічного кінця цієї надзвичайної людини. Лесь Курбас був заарештований 1932 р., і розстріляний в засланні на Соловках 1937 р. Про нього не було згадки в історії українського театру радянського періоду аж до недавніх часів. Цією книгою автор зробила вагомий вклад у поширення знання про український модерний театр і його геніяльного творця Леся Курбаса не тільки в Україні а й по інших краях, як і задовольнила спрагу шекспірознавця в собі знаходячи Шекспіра в "undiscovered bourn", тобто в Україні. Бажаємо професор Ірені Макарик успіху і в майбутньому.

# CIUS spearheads round table on Ukraine at Foreign Affairs Canada

(CIUS)—May 12 a roundtable discussion dedicated to issues of concern in Ukraine and Canada-Ukraine co-operation was organized with the assistance of the Canadian Institute of Ukrainian Studies (CIUS), University of Alberta. Held at Foreign Affairs Canada offices in Ottawa, the all-day round table, in the absence of media, featured frank discussions on burning issues of the day.

The round table was organized into four panels, which were chaired by David Preston, Director General, Central, East and South Europe Bureau, Foreign Affairs Canada. Each consisted of two to three 15-minute presentations by experts in their fields of interest followed by discussions and exchanges of opinions between Canadian government officials, representatives of aid organizations, scholars who deal in Ukrainian issues, business people and representatives of the Ukrainian Canadian community.

The first panel, entitled "Ukraine's Domestic Landscape before the Election," featured Marten Ehnberg, Elections Officer, Organization for Security and Cooperation in Europe (OSCE); Dr. Dominique Arel, Chair of Ukrainian Studies, University of Ottawa; and Victor Pergat, Vice President, Development, Northland Power Corporation. Presentations were made on the role of the OSCE in preparing Ukrainian government officials, journalists, and representatives of non-governmental organizations for the upcoming democratic elections in Ukraine; the connection between the upcoming election and the so-called constitutional reform; and the effect of the pre-election campaign battle on the business climate in Ukraine.

The second session was entitled "Democratic Development — Success and Challenges." Dr. Marta Dyczok, Professor, University of Western Ontario analyzed the dramatic situation in the Ukrainian mass media. Dr. Mykola Ryabchuk, CIUS's John Kolasky Memorial Fellow from Kyiv in his presentation, outlined how the so-called blackmail state functioned, through using economic blackmail for political purposes (encouraging corruption and collecting blackmail material, then selectively applying laws to enforce loyalty), which leads to a more autocratic regime under the façade of pseudo-democratic institutions and procedures as well as false Euro-integration rhetoric.

The third panel focused on "The Geopolitical Orientation of Ukraine — East or West Leaning?" Dr. John Jaworsky, Professor, University of Waterloo, presented his views on Ukraine's eastern-orientated multi-vectoral political experience, while Dr. Natalie Mychajlyszyn, Associate Member, Chair of Ukrainian Studies, University of Ottawa, presented Ukraine's political experience with the West.

The fourth session examined "Canadian Support of Ukrainian Democracy." The first speaker, Andrew Robinson, Canada's Ambassador to Ukraine, spoke on the subject of current Canadian-Ukrainian Relations. Francoise Ducros, Director General, Russia, Ukraine and Nuclear Programs Division, Canadian International Development Agency (CIDA), presented information on CIDA's support for democratic reform in Ukraine. Irene Mycak of the Ukrainian Canadian Congress, presented views on the role of Ukrainian Canadians in these processes.

In summary, those present agreed that the frank discussions of the situation and challenges facing Ukraine were very useful and that the ideas of experts and representatives of the Ukrainian Canadian community would help in the formation of priorities in Canada-Ukraine relations. In light of the extensive and positive experiences of co-operation with Ukraine, it was felt that Canadian government officials and non-governmental organizations should focus more attention on Ukraine, especially during the upcoming extraordinarily important presidential elections.


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# Mukacheve mayor resigns

(RFE/RL)—Ernest Nuser resigned as mayor of the town of Mukacheve on May 29, Ukrainian media reported.

"It has come to the point that, apart from [being subject to] slander and invectives, my family and I are under a permanent threat of physical liquidation," Interfax quoted Nuser as saying.

Nuser was declared winner of the contentious mayoral election in Mukacheve on April 18.

"I have a different impression [as regards Nuser's resignation]," Hanne Severinsen, rapporteur of the Parliamentary Assembly of the Council of Europe on Ukraine, told RFE/RL's Ukrainian Service on May 31.

"During a meeting with him [the previous week], it seemed to me that he is ready [to resign] because his town has become notorious in all of Europe owing to the election rigging."

# Marchuk calls for 'radical reform' of army

(RFE/RL)—Defense Minister Yevhen Marchuk, writing in the "Den" newspaper on June 3, said that he is in favor of "radical reform" in the Ukrainian armed forces.

Marchuk wrote that, in terms of the numerical strength of its army, Ukraine comes 13th in the world, while, in terms of military budget expenditures, the country is in 126th place.

Marchuk said Ukraine spends US$2,600 per serviceman annually, while this figure amounts to $8,460 in Romania, $34,600 in Hungary, and $91,000 in France.

The minister revealed that during Ukraine's 12 years of independence the armed forces have not bought a single domestically produced tank or a single airplane or helicopter.

The Ukrainian armed forces currently have some 355,000 servicemen.

# Kuchma invited to NATO summit

(RFE/RL)—President Leonid Kuchma has been invited to the NATO summit in Istanbul on June 28-29 to take part in a meeting of the Ukraine-NATO Commission, UNIAN reported on May 27, quoting Michel Duray, head of the NATO Information and Documentation Center in Ukraine.

"This will be a top-level event," Duray told the news agency. Meanwhile, U.S. Representative Douglas Bereuter (Republican, Nebraska), who is president of the NATO Parliamentary Assembly, visited Kyiv earlier that week and told a news conference on May 26 that Ukraine could join NATO as early as in 2007.

Bereuter is to present a report based on his visit at the next session of the NATO Parliamentary Assembly.

# Kuchma approves alternative service

(RFE/RL)—President Leonid Kuchma has signed into law a bill passed in May that allows conscripts objecting to regular military service to choose an alternative service of a nonmilitary nature, Interfax reported on June 7. The bill stipulates that such alternative service is to last 1.5 times longer than the regular military duty. The compulsory military service in Ukraine normally lasts 27 months, although university and college graduates serve for 18 months.


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# Україну знову підозрюють у причетності до контрабанди зброї

**Сергій Драчук,** *Радіо Свобода*

Як повідомили 3 червня із Туреччини, в порту Амбарли під Стамбулом затримане судно з вантажем зброї, яке прямувало з України до Єгипту. Цьому присвятив спеціальну виїзну прес-конференцію в порту державний міністр Туреччини, який відповідає за зовнішню торгівлю й митну справу, Кюршад Тюзмен, про це пишуть і передають турецькі засоби інформації й міжнародні агентства.

Начальник прес-служби Міністерства закордонних справ України Маркіян Лубківський так прокоментував подію:

«Насправді жодних підстав для сенсації немає. МЗС України може підтвердити за інформацією, яку воно має, що в Стамбулі дійсно затримане судно під мальтійським прапором, на якому був вантаж, що прямував із Одеси через Стамбул до Єгипту. Цей вантаж має спеціальне призначення. Усі документи на вантаж були оформлені належним чином. ... Причиною для затримання стала невідповідність у документах і маркуванні контейнерів. Іншими словами, контейнери були марковані не таким чином, як це передбачено для такого вантажу, що перевозився в них».

Іншу версію подала журналістам турецька сторона. Згаданий держміністр Кюршад Тюзмен повідомив, що в судновій декларації капітан заявив запасні частини, а не зброю. Тим часом у двох із контейнерів, які відкрили митники, була, за словами міністра, якась неуточнена ракетна пускова установка, радіокерована ракета, боєголовки тощо; при цьому Туреччину, сказав він, не поінформували про транзит зброї, як передбачають міжнародні домовленості.

Кюршад Тюзмен розповів, що підозру митників викликало підмінене маркування контейнерів, які мали перевантажити на інше судно. Коли люди з того іншого судна почали цікавитися про вантаж зброї, який вони мали взяти на борт до Єгипту, контейнери вирішили затримати, разом із судном, яке прийшло з України, і його командою. У двох контейнерах, які відкрили в середу ввечері, знайшли згадану зброю.

Тут знову є розбіжності з українською версією. «Контейнери не відкривали», – каже речник МЗС України Маркіян Лубківський.

Агентство «Асошіейтед Прес» переказує сюжет на турецькому телеканалі НТВ, що показав, як під наглядом державного міністра Туреччини відкривають контейнер з ракетною боєголовкою.

Маркіян Лубківський далі: «Я не хотів би коментувати дії турецької сторони. У нас є інша інформація з цього приводу, що турецька сторона також здивована повідомленнями своїх засобів інформації про цей інцидент».

За інформацією МЗС України, шість українських громадян із команди затриманого судна не арештовані й перебувають на волі в Стамбулі. Місце події відвідали українські дипломати. З'ясування обставин інциденту триває.

# Депутати хочуть знати, чи може СБУ заборонити СДПУ(о)

(Українська правда)—Народний депутат з "Нашої України" Сергій Терьохін наголошує на необхідності направити запит СБУ щодо наявності або відсутності "елементів фашистської спрямованості СДПУ(о)".

Так Терьохін прокоментував підтриманий парламентом запит голові Верховної Ради Володимиру Литвину щодо правомірності відмови в реєстрації проекту постанови, де міститься таке доручення СБУ.

"Якщо СБУ дійсно знайде елементи фашистської спрямованості у політиці СДПУ(о), на що вказує багато різноманітних прямих та побічних факторів, у тому числі поведінка членів партії у Мукачевому, у Львові, в Ужгороді, тоді діятиме чітка судова процедура, оскільки закон про політичні партії передбачає заборону заснування партій, які сповідують в тому числі фашистські ідеології", - зазначив Терьохін.

Терьохін розповів, що при розгляді питання про події у Мукачевому член фракції СДПУ(о) Нестор Шуфрич поставив запитання заступнику голови СБУ, чи є у Службі безпеки відомості про фашистську спрямованість СДПУ(о).

"У зв'язку з тим, що відповідь не була отримана паном Шуфричем, а ця відповідь є напрочуд важливою для усіх громадян України, я запропонував разом з іншими народними депутатами, які підписалися під проектом Постанови прийняти ВР рішення про те, щоб доручити СБУ підтвердити або спростувати відомості про те, що СДПУ(о) є партією фашистської спрямованості", - зазначив Сергій Терьохін.

Він підкреслив, що до того часу, поки Верховна Рада не отримає підтверджуючої інформації або інформації, яка б спростовувала такі відомості, фашистська спрямованість СДПУ(о) ще не доведена.

Авторами проекту постанови є народні депутати Сергій Терьохін, Володимир Бондаренко, Андрій Шкіль, Тарас Стецьків та Михайло Косів, повідомляє прес-служба "Нашої України".

Як вже повідомлялося, 13 травня помічники Терьохіна спробували зареєструвати проект постанови Верховної Ради України "Про наявність фашистської спрямованості СДПУ(о) або її відсутність". Але, за інформацією депутата, служба реєстрації документів ВР дуже перелякалися і сказали, що не зареєструють цю постанову, поки спікер Литвин, якому служба реєстрації направила офіційне звернення щодо можливості зареєструвати цей законопроект, не дасть своє добро.

Тоді Терьохін також повідомлив, що через півгодини після того, як ці документи принесли в службу реєстрації, помічником народного депутата Терьохіна, які не мали жодного відношення до авторства цієї постанови, а лише намагалися її зареєструвати, подзвонили помічники одного з депутатів – членів СДПУ(о) і спитали: "Чи хочете, щоб вам відкрутили голову, якщо ходитимете надалі реєструвати цей документ?"

## Українських порушників західних кордонів Польщі побільшало

**Володимир Павлів,** *Радіо Свобода*

1 червня польські прикордонники затримали 5 громадянок України, котрі, використовуючи фальшиві польські паспорти, намагалися проїхати до Чехії. Як вдалося встановити польським прикордонникам, українки їхали насправді на роботу до Італії, а польські паспорти купили у Львові та у Варшаві по ціні триста євро кожен. Після затримання громадянки України будуть депортовані з Польщі, а потім їх ще чекатиме суд за спробу нелегального перетину польського кордону. Цей приклад є лише одним із багатьох, яких з початку цього року зафіксували польські прикордонники.

За чотири місяці цього року майже не бувало тижня, щоб у польських засобах масової інформації не з'явилося повідомлень про затримання громадян України, котрі нелегально намагалися потрапити з Польщі до країн західної Європи чи до Чехії. Речник Прикордонної служби полковник Ярослав Жукович у розмові зі "Свободою" підтвердив, що кількість українців – порушників західних кордонів Польщі у цьому році помітно зросла.

З початку року до кінця травня українсько-польський кордон іноземці перетнули 1 мільйон 343 тисячі разів. За цей же період польські прикордонники затримали 392 громадянина України за спроби нелегального перетину державних кордонів Польщі. 267 із них були затримані на кордонах із Чехією та Німеччиною. Ще 323 громадянина України, котрим вдалося подолати західний кордон Польщі, польським прикордонникам передали їхні німецькі колеги. Для подолання західних польських кордонів українці вдаються до різних хитрощів.

Говорить полковник Ярослав Жукович: "Це можуть бути фальшиві документи, можуть бути (і є такі випадки ) коли пробують сховатися в автомобілях, що перетинають кордон, але найчисленнішою категорією є ті, хто намагається подолати так званий "зелений кордон", тобто кордон поза контрольно-пропускними пунктами".

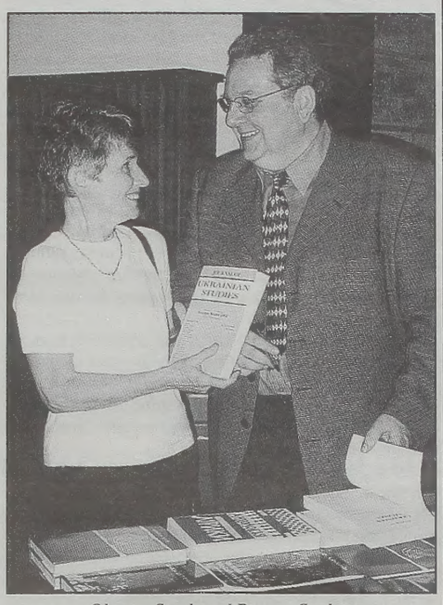
Разом з тим, польські прикордонники відзначають, що за останній час помітно зростає кількість тих громадян України, котрих затримують за використання фальшивих документів: паспортів або віз Європейського Союзу чи навіть США. Цю інформацію "Свободі" підтвердили і в консульському відділі посольства України у Варшаві.

# Lecture and special issue of the *Journal of Ukrainian Studies* in memory of Danylo Husar Struk

**By Taras Zakydalsky**

(CIUS)—This year marks the fifth anniversary of the death of Professor Danylo Husar Struk, who died on June 19, 1999 in Munich, Germany. On May 14, 2004, the fifth annual Danylo Husar Struk Memorial Lecture entitled "Kyiv through Myth and Imagination" was delivered by Prof. Taras Koznarsky of the Department of Slavic Languages and Literatures, University of Toronto. After the lecture, a new issue of the *Journal of Ukrainian Studies* (vol. 27, nos. 1-2), dedicated to the memory of Danylo Husar Struk, was presented by Roman Senkus, its guest editor. Those in attendance included Danylo Husar Struk's widow, Oksana Struk, his mother, Daria Husar, and other family members.

Danylo Husar Struk was a well-known scholar of Ukrainian literature and was closely associated with the Canadian Institute of Ukrainian Studies (CIUS). From 1967 he taught many of the Ukrainian language and literature courses at the University of Toronto. In 1982 he became the managing editor, and in 1989 the editor in chief of the *Encyclopedia of Ukraine*. From 1990 he was also associate director of CIUS in charge of its Toronto office. In the last two years of his life, he was president of the Shevchenko Scientific Society in Western Europe.



*Oksana Struk and Roman Senkus*

The special issue of the *Journal of Ukrainian Studies* in memory of Danylo Husar Struk contains 18 articles in Ukrainian literature and one in linguistics. The articles deal with Ukrainian writers that Prof. Husar Struk enjoyed and respected, such as Taras Shevchenko, Olha Kobylianska, Vasyl Stefanyk, Petro Karmansky, Pavlo Tychyna, Mykola Kulish, Bohdan Ihor Antonych, Mykhailo Rudnytsky, Emma Andiievska, Bohdan Rubchak, Ihor Kalynets, Vasyl Stus, and the post-Soviet authors Yurii Andrukhovych, Viktor Neborak, Oleksandr Irvanets, Oksana Zabuzhko, Iurii Izdryk, Iurii Pokalchuk, and Natalka Bilotserkivets. He lectured on most of them in his courses. All but one of the contributors to the issue were Prof. Husar Struk's colleagues or former students: Mark Andryczyk, Jars Balan, Vitaly Chernetsky, Oleh Ilnytzkyj, Roman Koropeckyj, Halyna Koscharsky, Michael Naydan, Alla Nedashkivska, Marko Pavlyshyn, Natalia Pylypiuk, Maria Rewakowicz, Maryna Romanets, Myroslav Shkandrij, Walter Smyrniw, Marko Stech, Lidia Stefanowska, Roman Senkus, and Maxim Tarnawsky. The list of contributors includes most of the leading scholars of Ukrainian literature in North America and Australia today, and two prominent Ukrainian literary figures, the author Yurii Andrukhovych and the literary scholar Tamara Hundorova.

The special issue of the *Journal of Ukrainian Studies* dedicated to Prof. Husar Struk can be ordered online at <www.utoronto.ca/cius> or by mail from the Canadian Institute of Ukrainian Studies, University of Alberta, 450 Athabasca Hall, Edmonton. AB T6G 2E8.

# Rada forms commission to probe pressure on deputies

(RFE/RL)—The Verkhovna Rada on June 3 set up an ad hoc commission to investigate "pressure" applied by state bodies on lawmakers, Ukrainian news agencies reported.

The commission is to present a report on its investigation no later than mid-November.

The formation of the commission followed the recent allegations that lawmaker Mykhaylo Dobkin was pressured into leaving the Center group and joining the parliamentary caucus of the Social Democratic Party-united (SDPU-o).

"[After Dobkin joined Center], he and his father were subjected to repression, and his father was even arrested," Our Ukraine lawmaker Volodymyr Yavorivskyy told journalists regarding Dobkin's defection.

"As soon as he signed a request to join the SDPU-o faction, his father was released. Don't you see yourselves what is going on in the Verkhovna Rada?"

Meanwhile, Dobkin denied on June 2 that he was pressured to join the SDPU-o caucus. He said he joined it because the SDPU-o is a "powerful party" that "supports political reform," UNIAN reported.

The current structure of the Verkhovna Rada is reportedly as follows: Our Ukraine, 100 deputies; Ukraine's Regions, 63; the Communist Party, 59; the SDPU-o, 39; Democratic Initiatives-People's Power, 28; Labor Ukraine, 29; the Socialist Party, 20; the Yuliya Tymoshenko Bloc, 19; Center, 18; the Popular Democratic Party and the Party of Entrepreneurs and Industrialists, 17; Soyuz, 17; and the Agrarian Party, 16.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# Opposition newspaper editor attacked

(RFE/RL)—Andriy Voytsekhovskyy, editor of the opposition newspaper "Gremuchaya smes" (Explosive Mixture) and a local correspondent of other publications linked to the Socialist Party, was beaten up in Kharkiv on June 3, UNIAN reported on June 5.

Voytsekhovskyy told the agency that he was attacked at night, when he was coming home from work.

The editor said he is not sure whether he was beaten up for his professional activity but he added that he has long been in "strong opposition to the authorities."

Voytsekhovskyy has been a Socialist Party member for some 10 years.

## Newsbriefs

### Officials fired over blast

(RFE/RL)—President Leonid Kuchma has sacked General Staff chief Oleksandr Zatynayko and Land Troops commander Petro Shulyak, finding them guilty of official negligence that could have led to the recent explosion at an ammunition depot in Zaporizhzhya Oblast, Interfax reported, quoting presidential spokeswoman Olena Hromnytska. Kuchma also reprimanded Defense Minister Yevhen Marchuk over the blast.

### Prodi denies statements

(RFE/RL)—Romano Prodi has denied saying that Ukraine and Belarus have no prospects of joining the European Union, the "Ukrayinska pravda" website reported, citing an interview he gave to the Kyiv-based newspaper "Den" of May 27. "We are working together on further strengthening our relations within the framework of the European Neighborhood Policy," Prodi told the newspaper. "This policy is not linked to [EU enlargement], because this issue in not on the current agenda."

### Hryshchenko meets Nuncio

(RISU.org.ua)—June 4, Kostiantyn Hryshchenko, minister of foreign affairs of Ukraine, met with Archbishop Ivan Jurkovic", apostolic nuncio to Ukriane, and congratulated him on his recent appointment. Minister Hryshchenko expressed his confidence that cooperation between the Vatican and Ukraine in cultural and humanitarian fields will continue.


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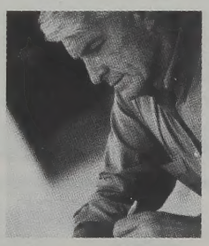

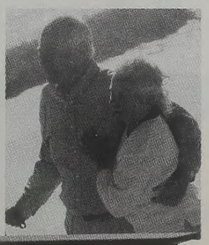

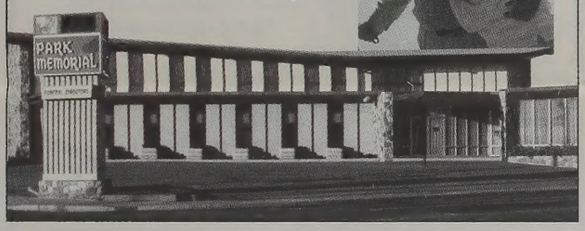


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# Christian churches issue address on respect for human life

(RISU.org.ua)—June 1, a conference was held at the UNIAN news agency in Kyiv with the participation of representatives of churches whose heads had signed "The Address of Christian Churches of Ukraine to the State and the Ukrainian Nation on the Protection of Life." The main initiative of the Christian churches of Ukraine on this issue was the establishment of an international committee on the protection of life, reports the press-service of the head of Ukrainian Greek Catholic Church.

In particular, the address says that on average in Ukraine half of pregnancies are terminated through abortion, that is, the murder of unborn children in their mothers' wombs. As a result, during the 12 years of its independence, Ukraine actually lost 8.5 million unborn citizens. This figure is also associated with the sad fact that one in five married couples is childless, because in 60% of cases, bareness is caused by post-abortion complications.

According to the address of the representatives of the churches, "the protection of the right to life of the unborn child, the revival of family values, and, as a result, the solution of the demographic crisis, is a common cause to which all members of society should contribute within their power."

"The church recognizes that the life of every human person begins from the moment of conception, and, therefore, the artificial termination of pregnancy, abortion, is nothing less than the murder of a helpless little human being," stresses the address.

The church representatives are particularly indignant at the fact that there not only exists commonly accepted infanticide in Ukraine, but also legal use of "human embryos," bodies of children killed through abortions, in medical practice.

The representatives of the Christian churches associate the issue of the murder of unborn children with the crises of the family. "We are firmly convinced that in the issue of the degradation of the family as a social institution, Ukrainian society will definitely go into decline, lose its originality and identity," stresses the address.

The address emphasizes that the Christian churches of Ukraine, representing an integral part of society, despite the differences existing between them, are showing willingness to work jointly in the areas of the protection of life and the revival of the family.

"We support the idea of the establishment of an all-Ukrainian interconfessional committee for the protection of human life, which can involve not only Christians, but also representatives of Islam and Judaism, who have the same views on social issues as we do. The organization and work of such a committee may become a model of the unification of people with different views for the sake of the achievement of a common goal," says the address.

The representatives of the Christian churches called the Parliament and government of Ukraine to review existing legislation regulating questions of the artificial termination of pregnancy and to strengthen the social protection and care of families with regard to giving birth and rearing children, actively promote the increase of the number of children in families, and support families having many children.

As for doctors, they are called not only to abstain from taking part in the performance of abortions, but also to help promote the idea that abortion is both infanticide and an action harmful for the female organism which can lead to irreparable consequences.

"The churches which we represent protest strongly the commercial use of children killed through abortions (so-called "abortive material") and, therefore, we appeal to doctors and scientists not to participate in actions associated with it and we are asking the Parliament of Ukraine to make appropriate amendments. In general, we see as unacceptable any actions resulting in the destruction of a conceived fetus or commercial use thereof, including means of artificial insemination."

The address calls teachers and doctors to help prepare young people for married life and the responsibilities of parenthood, as well as to spread knowledge of the fact that killing an unborn child cannot be a solution to problems.

Politicians, men of science and culture, and journalists are called to use their influence on society to protect the lives of unborn children and to ensure that new means of social communication do not become "new means of the spread of evil in the world."

The representatives of the Christian churches are convinced that only together, by the joint efforts of all social institutions, can it be possible to overcome the difficulties of the formation of the Ukrainian society, build it on a firm spiritual basis, make it capable of protecting the life of every human and of giving him or her the opportunity for harmonious development.

The address was signed by Patriarch Filaret, head of the Ukrainian Orthodox Church-Kyivan Patriarchate; Cardinal Lubomyr Husar, head of the Ukrainian Greek Catholic Church; Bishop Markian Trofimjak, vicar general of the Conference of Roman Catholic Bishops in Ukraine; Hryhorii Komendant head of the All-Ukraine Union of the Association of Evangelical Baptists; Leonid Padun, senior bishop of the Ukrainian Christian Evangelical Church; Mykhailo Panochko, bishop of the Church of Evangelical Christians of Ukraine; Vasyl Raichynets, senior bishop of the Union of Free Churches of Evangelical Christians of Ukraine; and Volodymyr Krupskyi, president of the Ukrainian Union Conference of the Church of Seventh-day Adventists.

# Interdenominational conference discusses Greek Catholic-Orthodox dialogue

(RISU.org.ua)—During a conference at the University of Lublin, Poland, on June 26, representatives of the Ukrainian Greek Catholic Church (UGCC), the Ukrainian Orthodox Church-Kyivan Patriarchate (UOC-KP), and the Roman Catholic Church (RCC) discussed the establishment of the patriarchate of the UGCC.

In his speech at the conference, Fr. Yevstratii Zoria, press secretary of the UOC-KP, noted that accents needed to be changed in ecumenical dialogue. He said it had to be changed from attempts to achieve theological and organizational unity to cooperation between different denominations in restoring the spiritual and moral bases of Christian civilization.

"Questions of spirituality and morality cannot divide Christians, because moral doctrines and the recognition of the priority of moral values over material ones are common for the Orthodox and Catholic churches, as well as for the historic Protestant denominations," said Fr. Zoria. "The activity of the Council of Representatives of Christian Churches of Ukraine is a good example of such dialogue, which unites representatives of the UOC-KP, the UGCC and the RCC in Ukraine," he added.

Fr. Zoria stated that the establishment of a patriarchate is an internal church issue. "Our church does not wish to interfere in this process and believes that the UGCC has the right to ask the Pope for patriarchal status, and the Pope has the right to recognize it or not," he said.

According to Fr. Zoria, the Kyivan Patriarchate is trying to maintain good contacts with the UGCC to facilitate the establishment of dialogue and help restore Ukrainian society together on the basis of traditional Christian values. He thought this was possible "because both churches have common historical roots and a patriotic standpoint concerning Ukrainian statehood."

"There are objective dogmatic and organizational differences between the UGCC and the UOC-KP. There are also some wounds, caused by the events of the 20th century, which have not healed yet, and because of this the two churches cannot unite now. However, this should impede neither interchurch dialogue, nor socially important work," said Fr. Zoria.

## Pope asks GCs to be patient about patriarchate

(RISU.org.ua)—John Paul II shares the hopes of the Ukrainian Greek Catholic Church (UGCC) to be established as a patriarchate, but he asks for patience while the proposal is studied. The Pope is also taking into account the "evaluations" of the Orthodox Churches. He expressed this June 4 when receiving in audience Cardinal Lubomyr Husar, head of the UGCC, with the members of the Permanent Synod of the UGCC.

"I share your aspiration, well-founded in the canonical and conciliar discipline, to have full juridical and ecclesiastical configuration," the Holy Father told his guests.

"I share this aspiration in prayer and also in suffering, waiting for the day established by God in which I will be able to confirm the mature fruit of your ecclesial development as successor of the apostle Peter," he said.

"Meanwhile, as you well know, your request is being seriously studied, also in the light of the evaluations of other Christian Churches," the Pope added.

# Controversial privatization of steel giant struggles on

## Business

(RFE/RL)—The privatization of the Ukrainian steel manufacturer Kryvorizhstal underwent two notable twists on June 8, as one district court in Kyiv ordered its suspension and another ruled that it may go on, Ukrainian news agencies reported.

The Holosiyivskyy District Court, following a complaint by lawmaker Valentyna Semenyuk who sought better protection for Kryvorizhstal employees against layoffs, ruled to postpone the privatization.

Later the same day, however, the documents of the case were transferred to the Pecherskyy District Court, whose jurisdiction was deemed more appropriate for the State Property Fund, which oversees the privatization on behalf of the government.

The Pecherskyy District Court rejected Semenyuk's complaint and said the privatization may continue.

The State Property Fund reportedly obtained six bids, three from domestic and three from foreign investors.

The government is offering for sale a 93 percent stake in Kryvorizhstal at a starting price of 3.8 billion hryvnias (US$713 million).

Kryvorizhstal's 56,000 employees have reportedly urged the government to sell the company to a domestic investor.

The Verkhovna Rada on June 3 failed yet again to block the privatization of Kryvorizhstal, which produces some 20 percent of Ukraine's steel output, UNIAN reported.

The motion to relaunch a debate on the announced sale was supported by 218 deputies, primarily from opposition factions (226 votes were needed for approval).

Opposition lawmakers have made several unsuccessful attempts in the past few weeks to block the Kryvorizhstal sale.

Both domestic and foreign observers say the privatization conditions set by the government are highly discriminative and actually favor only one bidder — the Investment-Metallurgical Union, a consortium linked to Ukrainian oligarchs Viktor Pinchuk and Rynat Akhmetov.

# Kroes Energy announces Q1 results

(UkrNews)—Calgary-based Kroes Energy Inc. on June 4 announced that 2004 first quarter net earnings and cash flow from operations amounted to C$315,927 and $392,029, respectively, compared to $23,535 of earnings and $273,138 of cash flow generated in the first quarter last year.

Net earnings in the first quarter of 2003 have been restated downward by $217,307 to reflect the retroactive adoption of stock-based compensation charges. Revenue for the quarter rose by 50% to $945,057 from the same period in 2003.

Daily production for the first quarter averaged 258 barrels of oil equivalent (boe) compared with 285 boe per day recorded in the first quarter of 2003. In Ukraine, crude oil production for the first quarter of 2004 averaged 255 barrels per day compared with 242 barrels per day in the first quarter of 2003.

The production gain in Ukraine was mainly due to a workover of a shut-in well that was completed early in 2003. Ninety nine percent of Kroes' production comes from Ukraine.

Development well No. 187b has reached total depth and encountered approximately 6 meters of potential net pay. When pulling out of the deviated hole, the drill string became stuck and fishing operations are underway to free the stuck pipe. Once fishing operations are completed, the well will be cased and completed for production, said the company in a press release.

Meanwhile, drilling of exploration well No. 191 commenced on May 27 and is currently at 300 meters. This well will test a possible extension of the Lelyaki field across a fault to the northwest of the current field limits. The well will be drilled to 1,900 meters and drilling and testing is expected to take six weeks.

Two more development wells and six workovers are scheduled for later in the year.

# Kroes spuds well

(Embassy of Canada of in Ukraine)—Canadian Ambassador, Andrew Robinson, along with Ed Southern and Christina D. Maciw, Board Members of Kashtan Petroleum Ltd. attended the spudding of well #191 at Kroes Energy's Joint Venture, Kashtan Petroleum Ltd at the Lelyaki Oilfield, May 27.

Leonid P. Kuzmenko, General Director of the Joint Venture received the delegation at the Well Site. The group performed the ritual of placing money on the bit. This well will be drilled to a depth of 1,940 meters and the target is the P1 and P2 Zones.

The results of this exploration well should produce in the area of 110 to 150 barrels of oil per day.

During the Ambassador's visit, the delegation was received by Chernyhivnaftogasgeologia, the Drilling Contractor on this well who hosted a luncheon.

Southern expressed Kroes' appreciation for the Ambassador's Visit to the site.

# U.S. still backs Odesa-Brody pipeline

(AFX)—Ukraine's Odesa-Brody oil pipeline, which has not been used since it was built two years ago, remains commercially viable, said Steven Mann, the US government's special envoy on Caspian basin energy issues, June 3.

Washington is keen for oil from the region to be exported but wants it to bypass Russia. The pipeline links Ukraine's Black Sea port of Odesa to the western town of Brody, near Ukraine's border with Poland. It has never begun pumping crude because it has failed to sign any contracts with oil exporters.

"We believe there is real interest in using Odesa-Brody to ship Caspian oil to Europe and that this makes good economic sense," Mann told reporters in the Azerbaijan capital. "I am aware that there are serious commercial discussions underway about the possibility of using Odesa-Brody to ship oil into Europe," Mann said on the sidelines of the annual Caspian Oil and Gas conference.

"This is a very good project and my government has supported this for a number of years," he added, but would not say whether any contracts had been signed or when the pipeline might start pumping oil.

Mann also underlined Washington's opposition to a French-backed plan for a pipeline to be built from Kazakhstan to Iran. "The US is firmly opposed to this pipeline, for reasons both of law and policy," Mann said. "Commercially speaking, I think there are better alternatives," added Mann.

Kazakhstan's government, together with Total, has been studying the feasibility of building a pipeline to ship crude from Kazakhstan to Iran, and from there to tanker terminals on the Persian Gulf.

# Russia to raise crude supply to Ukrainian refineries

(Interfax)—Russia is planning to supply to Ukraine around 24 million tons of crude oil a year for processing at Ukrainian oil refineries, Russian Fuel and Energy Minister Viktor Khristenko said during talks in Moscow with his Ukrainian counterpart Serhiy Tulub, June 8.

As the Energy Ministry press service reported, during the talks the sides expressed content with the state of cooperation in the oil and gas fields, and called for increasing the volume of oil transportation.

The supply of Russian petroleum to Ukrainian oil refineries this year is to reach around 22 million tons, when last year it totaled 21.3 million tons, or 86.6% of the total deliveries. The share of domestic oil in the loading of Ukrainian refineries in 2003 was 8.8% (less than 2.2 million tons), Kazakh 4.6% (1.1 million tons). Russian companies control four out of six Ukrainian refineries.

According to the press release, the talks in Moscow also touched on the questions of use of the Odesa-Brody pipeline and the international gas transportation consortium.

The parties also confirmed the intention to cooperate in extending export opportunities in the power industry after commissioning in Ukraine this year of two new reactors, at Khmelnytsky and Rivne nuclear power plants.

While in Moscow, Tulub also met with German Khan, executive director of the TNK-BP company, to discuss cooperation in the oil and oil processing industries, as well as took part in the meeting of Ukrainian and Russian power industry veterans.

# Ukraine signs first Iraq reconstruction deal

(RFE/RL)—Ukrainian Foreign Ministry spokesman Markiyan Lubkivskyy said on June 8 Ukraine has signed its first contract within the framework of the U.S.-funded reconstruction of Iraq, Interfax reported.

"This is an economic secret, so I won't go into details," Lubkivskyy added. The U.S. Department of Defense reported on May 27 on its website (http://www.pentagon.gov) that the U.S.-based ANHAM joint venture was awarded a $120 million contract to equip 15 Iraqi battalions and "six brigade headquarters sets" of the Iraqi Army and security forces by the end of September 2006.

The contract will involve several countries, with Ukraine's portion amounting to 65 percent of the deal, or $78 million.

# NATO signs transport deal with Ukraine

(RFE/RL)—NATO and Ukraine on June 7 signed a "Memorandum of Understanding on Strategic Airlift," under which the alliance will be able to use Ukraine's Ruslan planes for transporting NATO troops, equipment, and supplies to distant operation areas, Ukrainian and international news agencies reported.

The signing took place at NATO-Ukrainian consultations in Warsaw, which were attended by Ukrainian Defense Minister Yevhen Marchuk and NATO Secretary-General Jaap de Hoop Scheffer. Scheffer called for more democratic reforms in Ukraine on its declared path toward NATO membership.

"Strengthening of democratic institutions, development of civil society, and guarantee of the rule of law are all crucial preconditions for bringing Ukraine closer to the fulfillment of its legitimate Euro-Atlantic integration [goal]," Scheffer said in Warsaw.

## Briefly

### Ukraine to go it alone

(RFE/RL)—Ukrainian presidential spokesman Vasyl Baziv told journalists on May 28 that Ukraine does not intend to coordinate the process of joining the World Trade Organization (WTO) with the three other signatories of the accord on the creation of the Single Economic Space (SES), Russia, Belarus, and Kazakhstan, Interfax reported. "It is our position that every country has already gone its way and should now follow its own path," Baziv said. "The main thing is not to enter the WTO together or separately, but to enter it as soon as possible."

### Ukraine's output highest in CIS

(Interfax)—The CIS Statistics Committee reported on June 4 that Ukraine's industrial output had grown at the fastest rate, 17.8%, among CIS member nations from January-April 2004. In Georgia, the rate was 14.9%; in Moldova, 14.1%; in Belarus and Kyrgyzstan, 11.3%; in Tajikistan, 11.2%; in Kazakhstan, 9.3%; in Russia, 7.4%; in Armenia, 7.1%; in Azerbaijan, 3.8%. No data is available on Turkmenistan and Uzbekistan, the committee reported. The CIS industrial output growth averaged 9% and GDP increased by an average of 8%, the report said.

### Ukraine, Azerbaijan sign oil deal

(RFE/RL0—The governments of Ukraine and Azerbaijan on June 3 signed an accord on cooperation in the oil sector, UNIAN reported. The document was signed within the framework of an ongoing visit of Azerbaijani President Ilham Aliyev to Kyiv. Under the accord, Azerbaijan is reportedly obliged to sell a "sufficient amount" of oil to Ukraine "on a commercial, indiscriminate basis," in order to make it possible for Kyiv to fill the Odesa-Brody oil pipeline.

### Economy may overheat

(RFE/RL)—Anatoliy Halchynskyy, head of the Council of the National Bank of Ukraine, said at an international conference on monetary policies in Kyiv on May 28 that Ukraine's economy shows signs of overheating, Interfax reported. According to Halchynskyy, the current pace of industrial production growth of 17-18 percent is an "economic anomaly" rather than a matter for optimism and might also lead to economic overheating.

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# New accusations of proliferation against Ukraine

By Taras Kuzio

(Jamestown Foundation)—The *Washington Times* (May 25) published a sensational news item entitled "Dirty Bomb Easy to Buy in Ukraine". The report was itself based on a Sky News report that investigated how relatively easy it would be for terrorists to purchase, transport and detonate a "dirty bomb" in a Western European or North American city. Dirty bombs are manufactured from normal explosives, such as dynamite, but packed with radioactive materials. The conventional explosion spreads radioactivity over a wide area. The only known case of the manufacture of a dirty bomb was by Chechen insurgents who allegedly planted a bomb with cesium-137 in a refuse container in central Moscow in 1995. The device was not detonated.

Sky News had video film footage of a group that had traded in nuclear waste in the Crimean city of Armyansk. The group had been arrested with two large containers of the dangerous radioactive isotope cesium-137. If detonated in a city a dirty bomb made with cesium-137 would make the area uninhabitable for many years. The two containers contained sufficient cesium-137 to produce many dirty bombs. The arrested group revealed under interrogation that it had planned to sell both containers of cesium-137 to a buyer in Kyiv. The buyers were likely to be working on behalf of either Russian/Ukrainian organized crime or a group with links to terrorists. In a statement dated May 28, the Security Service of Ukraine (SBU) admitted that it had arrested a group in the Crimea the month before with two containers of cesium-137. The SBU admitted to having been approached by Sky News to whom they had given the video film footage. The SBU complained that the resultant Sky News report, on which the *Washington Times* based its information, "had twisted the information given to them, and had drawn their own conclusions which had no factual basis". The SBU also denied that the cesium-137 should be defined as "nuclear waste."

This is not the first time Ukraine has been accused of nuclear or military proliferation to rogue states or in conflict zones. Ukraine's proliferation problem is a product of three factors: large volume of inherited military equipment from the former USSR; lax safeguards; and high levels of corruption. Between 1997-2001, when Leonid Derkach headed the SBU, there were numerous Western media and intelligence reports of Ukraine's involvement in arms smuggling. In 2002, two Russian organized crime members were arrested by the SBU on a train in Western Ukraine. They had in their possession strontium-90 concealed inside salami skins. Last month the SBU arrested a group in Odesa who included Ukrainians and Middle Eastern citizens. The group was organizing the illegal export of radioactive materials from Ukraine. The material in question was "red mercury" that was hidden in specially constructed containers that could be concealed for border crossings. The Odesa SBU reported that the "foreigners (Middle Eastern citizens) were looking for further opportunities to obtain radioactive materials ...and smuggle them to the countries of the Middle East".

Since the disintegration of the USSR, CIS organized crime groups have been offering red mercury, which they claimed was a highly radioactive compound developed in Soviet nuclear facilities. However, samples of red mercury found in Western Europe have "proved to be bogus". Some scientists therefore believe "red mercury" either does not exist or is less of a threat than has been claimed. It is not coincidental that the majority of known proliferation cases occur in Southern Ukraine. Until 2003 Ukraine continued to recognize Moldovan customs stamps issued to Transdniestr in the 1990s. The Communist government had canceled these stamps when it came to power in 2001. The Transdniestr had been only given a small number of customs stamps by Moldova but had then illegally prepared hundreds more of the stamps.

The Ukrainian port of Odesa was the conduit for illegal exports from the Transdniestr, an avenue that has only therefore recently been closed. In the second half of the 1990s Odesa was racked by violence between organized crime groups with ties to different political clans. Direct presidential rule was temporarily imposed from Kyiv. The Transdniestr-Odesa smuggling route was used for military (and possibly nuclear) proliferation. The Transdniestr is kept afloat by Russian subsidies and illicit earnings from illegal trade in arms and other commodities. Transdniestr authorities only admitted recently that they produced military equipment. But, they claimed that this was purely for domestic purposes and not for export. In November 2003 the U.S. Embassy in Moldova confirmed that it was investigating the whereabouts of lead-shielded canisters. These contained the radioactive cesium-137 that could be used in dirty bombs. Oazu Nantoi, head of the opposition Moldovan Social Democratic Party, claimed in December 2003 that he possessed information concerning "dozens" of missiles with warheads that were missing from the Transdniestr that would be able to scatter radioactivity after impact.

Nantoi made these claims based on his access to Russian military documents on the modification of the bombs into dirty bombs. These had been stored in the Russian military depot in Kolbasna, near Tiraspol in the Transdniestr. The dirty bombs were modified Alazan rockets. Ukraine inherited a huge stockpile of military equipment from the USSR. This, coupled with further illicit supplies from the Transdniestr, led to a large proliferation problem in the 1990s. Storage of Ukraine's military equipment, "was totally inadequate, chaotic and badly administered", Defense Minister Yevhen Marchuk admitted. Despite a decade of military reforms and Western-backed assistance in dismantling this arsenal, Ukraine still possesses a greater number of attack aircraft than any other country in the world, more tanks than Germany, France and Britain combined, and the highest proportion of generals per thousands of soldiers.

## Newsbriefs

### Nationalists back Yushchenko

(RFE/RL)—Four nationalist organizations in Ukraine — the Congress of Ukrainian Nationalists, the Organization of Ukrainian Nationalists, the All-Ukrainian Association Freedom, and the Organization of Ukrainian Nationalists (revolutionary) — have pledged to support jointly Our Ukraine leader Viktor Yushchenko as a presidential candidate in the Oct. 31 presidential election, Interfax reported on June 7. "We call on members of our organizations to join the work of Viktor Yushchenko's Our Ukraine bloc in a more vigorous way," leaders of the four organizations wrote in a joint statement..

### Slovak president visits

(RFE/RL)—Slovak President Rudolf Schuster met with his Ukrainian counterpart, Leonid Kuchma, on June 7 during a one-day visit to Kyiv, Ukrainian media reported. Schuster said at a news conference after the meeting that "the Schengen border will not become a dividing line between Ukraine and Slovakia." The two leaders reportedly discussed the participation of their countries in the international stabilization mission in Iraq and bilateral issues relating to trade and visa regimes.

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